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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

JAN 12 2004

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 16, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present. Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Daly, moved to approve August 12, 2003 and August 19, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Services Committee

031126 **[Liquor License Transfer, One Tillman Place]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from Pier 28, The Embarcadero to One Tillman Place (District 3), to Aqua Azul, LLC for Azul, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 595-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031192 **[Liquor License Transfer, 662 Mission Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 811 Valencia Street to 662 Mission Street (District 6), to Shawman Group, LLC, dba "Fluid", will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 598-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

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031214 **[Liquor License Transfer, 550-15th Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 536 Golden Gate Avenue to 550-15th Street (District 6), to Peter Glikshtern dba "Five50, Inc.", will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 600-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031402 **[Extension of the First Source Hiring Program]**
Supervisors Maxwell, Dufty, Newsom, Ammiano, McGoldrick, Sandoval

Ordinance amending the San Francisco Administrative Code by amending Section 83.18 to extend the expiration date of the provisions of the First Source Hiring Program by one year.

Ordinance No. 228-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031336 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisors Dufty, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $19,800 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2003, to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 596-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031337 **[Emergency Medical Services Fund Reimbursement]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Emergency Medical Services (SFDPH, EMS) to accept and expend retroactively funds in the amount of $920,650 from the Emergency Medical Services Fund (EMSF) to reimburse providers for emergency medical services rendered during the period of July 1, 2002 to June 30, 2004, and for administrative costs associated with this program. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 597-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

031274 **[Conservatory of Flowers - Fees]**
Supervisor McGoldrick

Ordinance making environmental findings and amending the San Francisco Park Code by adding Section 12.34 to establish the admission fees for the Conservatory of Flowers.

Ordinance No. 231-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031399 **[Stow Lake and Spreckels Lake restoration, sole source contract]**
Mayor, Supervisor Hall

Ordinance authorizing the Recreation and Park Department to negotiate and enter into a sole-source contract with Aquatic Environments, Inc., Alamo, California, to dredge Stow Lake and Spreckels Lake, install aeration and circulation equipment and repair the Lake edge.

Ordinance No. 227-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Land Use Committee

031194 **[Recreation and Park Commission to procure construction and design/build services in connection with the California Academy of Sciences project]**
Mayor, Supervisors Ammiano, Hall

Ordinance authorizing the Recreation and Park Commission to award contracts for construction and/or design/build services in connection with the reconstruction of the California Academy of Sciences. (Mayor)

Ordinance No. 229-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030848 **[General Assistance-In-kind Assistance]**
Supervisors Newsom, Dufty, Sandoval, McGoldrick, Peskin

Ordinance modifying the City's General Assistance (GA) Program by amending San Francisco Administrative Code Sec. 20.57 to reflect the current grant amount; amending Administrative Code Sec. 20.59.3 to provide in-kind housing, utilities and meals to homeless applicants and recipients; amending Administrative Code Sec. 20.57.1 to value housing, utilities and meals provided to homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.57.6A. to provide a special needs allowance to homeless recipients; adding Administrative Code Sec. 20.60.12 to establish a baseline GA budget; adding Administrative Code Sec. 20.60.13 to require a Controller's evaluation; adding Administrative Code Sec. 20.60.14 to establish an operative date for these amendments of on or before July 1, 2003.

Supervisor Ma, seconded by Supervisor Dufty, moved an amendment of the whole.
The motion failed by the following vote:
Ayes: 3 - Dufty, Ma, Newsom
Noes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandavol
NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Dufty, McGoldrick, Newsom, Peskin, Sandoval
Noes: 6 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell

From the Finance and Audits Committee "Without Recommendation"

031361 **[General Assistance-In-Kind Assistance; Department of Human Services Care Fund]**
Supervisors Hall, Newsom

Ordinance modifying the City's General Assistance (GA) Program by amending San Francisco Administrative Code Sec. 20.57 to reflect the current grant amount; amending Administrative Code Sec. 20.59.3 to provide in-kind housing, utilities and meals to homeless applicants and recipients; amending Administrative Code Sec. 20.57.1 to value housing, utilities and meals provided to homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.57.6A. to provide a special needs allowance to homeless recipients; adding Administrative Code Sec. 20.60.12 to establish a baseline GA budget; adding Administrative Code Sec. 20.60.13 to require a Controller's evaluation; adding Administrative Code Sec. 20.60.14 to establish an operative date for these amendments of on or before July 1, 2003; and amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

Supervisor McGoldrick dissenting.

Supervisor Hall, seconded by Supervisor Ammiano, moved that this Ordinance be TABLED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Newsom

Recommendations of Finance and Audits Committee

031238 **[Establishing a Department of Human Services Care Fund]**
Supervisors Hall, Newsom, Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:24 p.m.

Reconvening of the Board

The Board at the hour of 3:43 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Hall, Gonzalez, Ma, Maxwell, Newsom, Peskin - 9

Quorum present.

Supervisors Daly and McGoldrick were noted present at 3:45 p.m.

031240 **[Establishing Cash for Care Special Account]**
Supervisor McGoldrick

Ordinance amending Section 10.100 of the San Francisco Administrative Code to establish the Cash for Care Special Account to receive, administer and fund programs for the homeless of San Francisco.

(Fiscal impact.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Ordinance be RE-REFERRED to the Finance and Audits Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031241 **[Expanding Eligibility to Participate in Annual Joint Fundraising Drive]**
Supervisor McGoldrick

Ordinance amending Section 16.93-2 of the San Francisco Administrative Code to allow the Cash for Care Special Account to participate in the annual joint fundraising drive.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Ordinance be RE-REFERRED to the Finance and Audits Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031244 **[Glen Park Branch Library]**
Supervisor Dufty

Ordinance approving and authorizing the Director of Property to execute an Agreement of Purchase and Sale of Real Property with Glen Park Marketplace Phoenix, LLC, for the purchase of a condominium unit in a mixed use project to be located at Diamond and Wilder Streets for use as the Glen Park branch of the San Francisco Public Library; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Ordinance.

(Fiscal impact.)

Ordinance No. 230-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the City Services Committee

020061 **[Banner Regulations]**
Supervisors Newsom, Dufty, Ma

Ordinance amending and adding to Section 184.78 of the Public Works Code make findings as to the purposes served by banners, to create five categories of permitted banners, to prohibit banners in residential districts, to restrict banners in certain neighborhood commercial and residential commercial districts, to require installer name and service phone numbers on all banners, to provide for processing and inspection fees for banner permits, to index those fees, beginning in fiscal year 2004-2005, to the Consumer Price Index, to provide appropriate penalties for violations of Section 184.78, and to provide that bonds may be required to be posted prior to receipt of a banner permit and finding that the Ordinance is exempt/excluded from environmental review.

Supervisor Newsom, seconded by Supervisor Ma, moved that this Ordinance be RE-REFERRED to the City Services Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Dufty introduced, welcomed, and presented Certificates of Honor to Members of the 2002-2003 Civil Grand Grand Jury, William Bush, Jess Centeno, Rosemary De Gregorio, Susan Hirsch, George Kloves. Richard Matthews, Jack McNulty, Inez Skourkes, and Pauline Walker.

Supervisor Daly introduced, welcomed, and presented Certificates of Honor to Members of the Immigrant Workers Freedom Ride.

SPECIAL ORDER 4:00 P.M.

031370 **[Public Hearing]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

031371 **[Report of assessment costs for sidewalk and curb repairs - DPW Order 174,073]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order 174,073; Location: 1751 Silver Avenue.)

Resolution No. 601-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031372 **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

031373 **[Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 227]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,227; Locations: 279-283 Dolores Street; 439 Guerrero Street.)

Resolution No. 602-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031374 **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

031375 **[Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 249]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,249; Locations: 170 Flood Avenue; 1272-1274 Page Street.)

Resolution No. 603-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031445 **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

031446 **[Report of assessment costs for sidewalk and curb repairs - DPW Order 174,311]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,311; Locations: 800 Shrader Street; 1062 Goettingen Street; 449 Frederick Street.)

Resolution No. 612-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

Supervisor Newsom was previously excused from voting on this matter.

031265 **[Appeal, Mitigated Negative Declaration - 2026 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16595 adopted June 12, 2003, approving a mitigated negative declaration for the proposed development at 2026 Lombard Street.

(Appeal filed July 14, 2003 by Stephen M. Williams, Esq.; companion measure to Files 031266, 031267, 031268.)

Stephen Williams, Appellant
Support of appellant:
Joseph Michelucci, Geotec Engineer; Frank Rollo, Geotec Engineer; Ms. Pat Vaughey; Kate Gillespie; Dr. Roger; Andy Fields; Ken Johnson; Hanson Wong, Department of Building Inspection.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Paul Maltzer, Planning Department.
M. Brett Gladstone, Project Sponsor
Support of sponsor:
Mr. McDaniels; Steward During, Law Consultant; Luba Wyznyckyi, Law Consultant
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

031266 **[Affirming adoption of the negative declaration for 2026 Lombard Street]**

Motion affirming the Planning Commission adoption of the negative declaration for 2026 Lombard Street. (Clerk of the Board)

Motion No. M03-167

Supervisor Peskin, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, McGoldrick
Excused: 1 - Newsom

031267 **[Reversing adoption of the negative declaration for 2026 Lombard Street]**
Motion reversing the Planning Commission adoption of the negative declaration for 2026 Lombard Street.

TABLED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031268 **[Preparation of findings to reverse adoption of the negative declaration for 2026 Lombard Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 2026 Lombard Street Project. (Clerk of the Board)

TABLED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

SPECIAL ORDER 4:30 P.M.

031232 **[Public Hearing - Appeal, Conditional Use - 2026 Lombard Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16596 dated June 12, 2003 approving a conditional use authorization, Case No. 2002.0497C, to allow the construction of an approximately 49,000 square foot 97 room tourist hotel with 78 off-street parking spaces on a lot containing approximately 13,600 square feet, pursuant to Planning Code Sections 712.11, 712.21, 712.55 and 303, in an NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2026 Lombard Street, north side between Fillmore and Webster Streets, Lot 025 in Assessor's Block 0492.

(Appeal filed July 14, 2003 by Stephen M. Williams, Esq. The project received a Preliminary Mitigated Negative Declaration (PMND) from the Planning Department on March 29, 2003. The PMND was appealed; Planning upheld the PMND on June 12, 2003; companion measure to Files 031232, 031233, 031234, 031235, 031236; District 2).

Stephen Williams, Esq., Appellant
Support of appellant:
Jay Scott; Roger Arlen; Sandy Arlen; Robert; Mr. Maroso; Andy Fields; Tina Sprouse; male speaker; male speaker; Dr. Roger; Pat Vaughey; Ken Johnson.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Jean Paul Samaha, Planning Department.
M. Brett Gladstone, Project Sponsor
Support of Sponsor:
Ken Matterson; Segrid Engelen; Renee Corbett; John Love, CPA; Mohammad; Jim Maxwell, Marina Homeowners Association; female speaker; Sonja Gonzalez; Linda Santana; male speaker; Rick Romono; Conan Russell; Joyce Martini; Richard.
Stephen Williams, appellant rebuttal period.
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

031233 **[Appeal, Conditional Use - 2026 Lombard Street]**

Motion approving decision of the Planning Commission by its Motion No. 16596 approving Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031234 **[Appeal, Conditional Use - 2026 Lombard Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16596 approving Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved an amendment of the whole. Further amended by Supervisor Peskin.

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Newsom

Motion No. M03-168

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Newsom

031236 **[Environmental Review - 2026 Lombard Street]**

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2026 Lombard Street. (Clerk of the Board)

Motion No. M03-156

APPROVED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Newsom

031235 **[Findings - 2026 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-155

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

SPECIAL ORDER 4:30 P.M.

Supervisor Sandoval noted absent at 5:15 p.m.

031364 **[Public Hearing - Appeal, 600 Portola Drive Tentative Subdivision Map]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 4, 2003, approving tentative/parcel map to legalize the construction of an 18 unit new condominium mixed-use project at 600 Portola Drive, San Francisco.

(Appeal Filed August 7, 2003 by Mr. Man Poon; companion measure to Files 031364, 031365, 031366, 031367; District 7.)

Speakers: Mr. Man Poon, Appellant; John Kwong; John Martin, Representative, Department of Public Works.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

031365 **[600 Portola Drive Tentative Subdivision Map]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 18 unit new condominium mixed-use project in Assessor's Block 2892, Lot 1, at 600 Portola Drive. (Clerk of the Board)

Motion No. M03-157

Supervisor Peskin, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031366 **[600 Portola Drive Tentative Subdivision Map]**

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 18 unit new condominium mixed-use project in Assessor's Block 2892, Lot 1, at 600 Portola Drive. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031367 **[Findings - 600 Portola Drive]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 18 unit new condominium mixed-use project in Assessor's Block 2892, Lot 1, at 600 Portola Drive. (Clerk of the Board)

Motion No. M03-158

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

Recess

The Board recessed at the hour of 9:45 p.m.

Reconvening of the Board

The Board at the hour of 10:10 p.m. reconvened

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick - 7

Quorum present

SPECIAL ORDER 5:00 P.M.

031449 **[Public Hearing - Appeal, Final EIR for the Golden Gate Park Concourse Authority Projects]**
Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2001.911E, dated July 24, 2003, for the Golden Gate Park Concourse Authority Projects, located between the California Academy of Sciences and the M.H. De Young Museum in Golden Gate Park, known as the Music Concourse Area. (Appellant: Stephen L. Willis).

(Filed 8/13/03; companion measure to Files 031450, 031451, 031452.)

Appellants: Chris Duderstadt; Mary Anne Miller; Stephen Willis.
Support of appellant:
Denise D'Anne; Arthur Chan; Don Echenberg, SF Green Party; Mike Smith; Mark Solomon; Josh Hart, SF Bicycle Coalition; Fredrick Hobson; Richard Kaufman, Walk SF; John Winston; Andy Norman; Eric; Cherl Brickman, Vice President, Pedestrian Safety Advisory Committee; Peggy Kushner, Sierra Club; female speaker; Janice Rothstein; Amad Jowel; Steven; female speaker; male speaker; Tess; Katherine Roberts.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Paul Maltzer, Planning Department; John Malamut, Deputy City Attorney; Jay Turnbold, Architect.
Support of project sponsor:
Mike Ellzey, Concourse Authority; Nancy Conner, President, Concourse Authority; Diane Wilsey, President, De Young Museum; Harry Parker, Fine Arts Museum; Ron McGill; Randolph Scott, Fine Arts Museum; Jim Chapple, SPUR; Patrick Kociolek, Academy of Science; Elizabeth Dunlap; Sandra Tracey, North Park Neighborhood Association; Michelle Straton; Dan McKenna, Recreation and Park.
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

031450 **[Affirm certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**
Motion affirming the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

Motion No. M03-161

Supervisor Hall, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the **following vote:**

Ayes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Gonzalez

031451 **[Reverse certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**

Motion reversing the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031452 **[Preparation of findings to reverse certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**

Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 5:00 P.M.

031481 **[Public Hearing - Appeal, Final EIR for the Golden Gate Park Concourse Authority Projects]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2001.911E, dated July 24, 2003, for the Golden Gate Park Concourse Authority Projects, located between the California Academy of Sciences and the M.H. De Young Museum in Golden Gate Park, known as the Music Concourse Area. (Appellants: Christopher Duderstadt, Mary Anne Miller for the Alliance for Golden Gate Park, and Stephen L. Willis).

(Filed 8/13/03; companion measure to Files 031482, 031483, 031484.)

Appellants: Chris Duderstadt; Mary Anne Miller; Stephen Willis.
Support of appellant:
Denise D'Anne; Arthur Chan; Don Echenberg, SF Green Party; Mike Smith; Mark Solomon; Josh Hart, SF Bicycle Coalition; Fredrick Hobson; Richard Kaufman, Walk SF; John Winston; Andy Norman; Eric; Cherl Brickman, Vice President, Pedestrian Safety Advisory Committee; Peggy Kushner, Sierra Club; female speaker; Janice Rothstein; Amad Jowel; Steven; female speaker; male speaker; Tess; Katherine Roberts.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Paul Maltzer, Planning Department; John Malamut, Deputy City Attorney; Jay Turnbold, Architect.
Support of project sponsor:
Mike Ellzey, Concourse Authority; Nancy Conner, President, Concourse Authority; Diane Wilsey, President, De Young Museum; Harry Parker, Fine Arts Museum; Ron McGill; Randolph Scott, Fine Arts Museum; Jim Chapple, SPUR; Patrick Kociolek, Academy of Science; Elizabeth Dunlap; Sandra Tracey, North Park Neighborhood Association; Michelle Straton; Dan McKenna, Recreation and Park.
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

031482 **[Affirm certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**

Motion affirming the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

Motion No. M03-162

Supervisor Hall, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Gonzalez

031483 **[Reverse certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**

Motion reversing the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031484 **[Preparation of findings to reverse certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects]**

Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the Golden Gate Park Concourse Authority Projects. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 1:30 a.m.

Reconvening of the Board

The Board at the hour of 1:51 a.m. reconvened

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell - 7

Quorum present

SPECIAL ORDER 6:00 P.M.

031440 **[Public Hearing - Appeal, Conditional Use - 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard)]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16614 dated July 17, 2003, approving a conditional use authorization, Case No. 2002.0430C, to mount a total of six panel antennas and related equipment on an approximately 53-foot tall commercial building as part of AT&T Wireless Services telecommunications network within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code, on property located at 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard), on the northwest corner of 9th Avenue and Geary Boulevard; Lot 035, in Assessor's Block 1441. (Appellant: Betty Chao)

(Appeal filed August 15, 2003; categorically exempt from the environmental review process (CEQA) pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code.; companion measure to Files 031441, 031442, 031443; District 1.)

Betty Chiao, Appellant
Support of appellant:
Megan Sullivan; Grace Young; Robert Blum; Lynn Elman; Helen; speakers reading letters on behalf of Star of Sea Church and School; Frank; Mary Ann Duke; Annette Wo; Sharon; Kenneth Low; Janice Rothstein; Bennie Lu; Ken Chan; Mike Larson; female speaker; female speaker; Regena Gatton; Ms. Currington; Warren Wo; male speaker; Susan Hall, Richmond Democratic Club.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Jean Paul Samaha, Planning Department.
Chirs Durran, ATT Wireless, Project Sponsor
Support of project sponsor:
Jim Heard Esq., ATT Wireless; male speaker; William Hamlon; male speaker, ATT wireless.
Appellant rebuttal period.
Mr. Jenkins; Betty Chiao.
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031441 **[Appeal, Conditional Use - 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard)]**

Motion approving decision of the Planning Commission by its Motion No. 16614, approving Conditional Use Application No. 2002.0430C on property located at 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard) and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031442 **[Appeal, Conditional Use - 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard)]**
Motion disapproving decision of the Planning Commission by its Motion No. 16614, approving Conditional Use Application No. 2002.0430C on property located at 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard) and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-159

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval

031443 **[Findings - 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard)]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0430C on property located at 378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-160

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval

SPECIAL ORDER 6:30 P.M.

031485 **[Public Hearing - Appeal, Final EIR for the 301 Mission Street Project]**
Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2001.0792E, dated July 31, 2003, for a proposed mixed use development located at 301 Mission Street, near the Transbay Terminal in downtown San Francisco, Assessor's Block 3719, Lots 1 and 17. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association).

Filed 8/15/03; companion measure to Files 031486, 031487, 031488.)

Sue Hestor, Attorney for the Appellant
Support of appellant:
Mr. Brooks; Reed McMann.
Department of Planning Representatives reviewed with Board the Planning Commission's recommendation.
Paul Maltzer, Planning Department.
Phillip Arron, Project Sponsor
Support of project sponsor:
Ms. Duffy, Coblentz, Duffy and Bass; Mr. Lewis, Local 2; Derk Butler; Jim Chapple, SPUR.
Appellant rebuttal period:
Sue Hestor, Attorney for the Appellant.
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031486 **[Affirm certification of the final environmental impact report for the 301 Mission Street Project]**
Motion affirming the Planning Commission certification of the final environmental impact report for the 301 Mission Street Project. (Clerk of the Board)

Motion No. M03-163

Supervisor Dufty, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Daly, Dufty, Hall, Ma, McGoldrick, Peskin
Noes: 3 - Ammiano, Gonzalez, Maxwell
Absent: 2 - Newsom, Sandoval

031487 **[Reverse certification of the final environmental impact report for the 301 Mission Street Project]**
Motion reversing the Planning Commission certification of the final environmental impact report for the 301 Mission Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval

031488 **[Preparation of findings to reverse certification of the final environmental impact report for the 301 Mission Street Project]**
Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 301 Mission Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval

SPECIAL ORDER 7:00 P.M.

031522 **[Public Hearing - Appeal, Temporary Street Closure, Mission Street between 24th and 25th Streets]**
Hearing appealing the decision of the Department of Parking and Traffic by its Memorandum dated September 2, 2003, disapproving the requested temporary street closure of Mission Street, between 24th and 25th Streets, on October 25, 2003 from 7AM to 7PM, for Immigrant Pride Day.

(Appeal filed September 4, 2003, by Carlos Petroni for the Immigrant Rights Movement; companion measure to Files 031523, 031524, District 6.)

Carlos Petroni, Appellant
Speakers: female speaker; Chris; David; Mr Hernandez; Katheryn Howe; female speaker; Joyce, MUNI; Frederick Hobson; Sgt. Rubino, Mission Station, SFPD.

The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031523 **[Affirming decision of DPT to disapprove the requested closure of Mission St. between 24th and 25th on October 25, 2003, for Immigrant Pride Day]**

Motion affirming the decision of the Director of the Department of Parking and Traffic to disapprove the requested temporary closure of Mission Street, between 24th and 25th Streets, on October 25, 2003 (7am to 7pm), for Immigrant Pride Day. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031524 **[Reversing decision of DPT and approving the requested closure of Mission St. between 24th and 25th on October 25, 2003, for Immigrant Pride Day]**

Motion reversing the decision of the Director of the Department of Parking and Traffic and approving the requested temporary closure of Mission Street, between 24th and 25th Streets, on October 25, 2003 (7am to 7pm), for Immigrant Pride Day. (Clerk of the Board)

Amended to change the date of the event from October 25, 2003 to October 26, 2003.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin
Noes: 1 - Hall
Absent: 2 - Newsom, Sandoval

Motion reversing the decision of the Director of the Department of Parking and Traffic and approving the requested temporary closure of Mission Street, between 24th and 25th Streets, on October 26, 2003 (7am to 7pm), for Immigrant Pride Day. (Clerk of the Board)

Motion No. M03-169

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin
Noes: 1 - Hall
Absent: 2 - Newsom, Sandoval

PUBLIC COMMENT

Frederick Hobson, General Assistance Issues
Vernon Jenkins, Public Health
Abdula Megaheed, General Comments

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

031509 **[Legislative Analyst Request - Status of 8 remaining single-screen movie theaters in San Francisco]**
Supervisors Peskin, Newsom, Gonzalez

Motion requesting the Office of Legislative Analyst to report on the status of 8 remaining single-screen movie theaters in San Francisco and the feasibility of the proposal by Save the Theaters to renovate, rehabilitate and utilize these theaters to create an environment that will help to develop and ultimately expand a purely independent film industry in the City of San Francisco.

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031512 **[Extension of SRO Hotel Safety and Stabilization Task Force]**
Supervisors Ammiano, Gonzalez

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2004.

Resolution No. 608-03
ADOPTED

031513 **[Ciaran Ferry]**
Supervisor Daly

Resolution urging the Bureau of Customs and Immigration to grant asylum to Ciaran Ferry.

Resolution No. 609-03
ADOPTED

031496 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-164
APPROVED

031520 **[Final Map for a 5 Unit Residential Condominium Project]**
Motion approving Final Map of 3284 San Bruno Avenue, A Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 6157, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,368; District 10.)

Motion No. M03-165
APPROVED

031521 **[Final Map for an 31 Unit Live Work/Commercial Condominium Project]**
Motion approving Final Map of 380 10th Street, a Live Work/Commercial Condominium Project, being a subdivision of Lot 86 in Assessor's Block No. 3520, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,371; District 6.)

Motion No. M03-166
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 4 - Ammiano, McGoldrick, Newsom, Sandoval

Severed From Without Reference to Committee Agenda

031514 **[Authorizing transfer of funds and management oversight from DPW to MOCD]**
Supervisor Gonzalez

Resolution authorizing transfer of funds and management oversight from the Department of Public Works to the Mayor's Office of Community Development.

REFERRED to the Finance and Audits Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 4 - Ammiano, McGoldrick, Newsom, Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 4 - Ammiano, McGoldrick, Newsom, Sandoval

031555 **[Immigrant Workers Freedom Ride]**

Supervisor Daly

Resolution commending the Immigrant Workers Freedom Ride and the "March for Immigrant Rights" on September 20, 2003 in San Francisco, to send off the 106 Bay Area Riders on their historic journey for freedom and civil rights for all.

Resolution No. 610-03

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 4 - Ammiano, McGoldrick, Newsom, Sandoval

OFF-AGENDA LEGISLATION

Ordinances

022031 **[Zoning Map Amendment]**
Supervisor Maxwell

Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title; companion measure to File 022032.)

12/16/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 1/15/2003.

12/30/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

8/26/03, RESPONSE RECEIVED. Planning Commission Resolution No. 16631, adopted August 21, 2003, recommending approval.

9/10/03, RESPONSE RECEIVED. Final Environmental Impact Report; Final Supplemental Environmental Impact Report.

9/16/03, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing a new title.

9/16/03, ASSIGNED to Land Use Committee.

022032 **[17th and Rhode Island Street Grocery Store Special Use Subdistrict]**
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)
12/16/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 1/15/2003.
12/30/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.
2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.
8/26/03, RESPONSE RECEIVED. Planning Commission Resolution No. 16632, adopted August 21, 2003, recommending approval, and amendment to Prohibit Nighttime Entertainment uses.
9/10/03, RESPONSE RECEIVED. Final Environmental Impact Report; Final Supplemental Environmental Impact Report.
9/16/03, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.
9/16/03, ASSIGNED to Land Use Committee.

031545 **[Agreement to Exchange of Property and Settlement of Lawsuit - William F. Spiers dba Spiers Construction Company]**
Supervisors Hall, Dufty

Ordinance authorizing an agreement to exchange vacant land uphill from Edgehill Park for the City's property on Portola Drive; adopting findings that the exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the exchange agreement; and authorizing settlement of the lawsuit entitled City and County of San Francisco v. William F. Spiers dba Spiers Construction Company, filed on November 29, 2001 in San Francisco Superior Court, Case No. 401-800, for an injunction requiring removal of Spiers' fence blocking access to Edgehill Park, for dismissal of Spiers' cross-complaint for quiet title, and for the exchange agreement.

(Public Benefit Recipient.)
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031546 **[Requiring members of Veterans Affairs Commission to be honorably discharged veterans]**
Supervisor Hall

Ordinance amending the San Francisco Administrative Code, Section 5.102, requiring that all members of the Veterans Affairs Commission be honorably discharged veterans from the armed forces of the United States of America as evidenced by a discharge sheet or other equivalent written evidence of honorable discharge, or be veterans discharged from the armed forces of the United States of America on account of sexual orientation.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031557 **[Underground District – Cow Hollow]**
Supervisor Newsom

Ordinance creating Underground District No. 360 in Cow Hollow.

(No Public Benefit Recipient.)
9/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

031558 **[Cultural and Historical Facilities General Obligation Bonds]**
Supervisor Hall

Ordinance determining and declaring that the public interest and necessity demand improvements in the City and County of San Francisco consisting of financing the acquisition, rehabilitation, renovation, improvement, construction or preservation of cultural and historical facilities owned by the City and County of San Francisco and paying all other costs necessary and convenient for effectuating those purposes, that the estimated cost of approximately $267,000,000 for the improvements described above is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness of $71,000,000; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the General Plan consistency requirement of Administrative Code Section 2A.53; waiving the time limits set forth in Sections 2.31 and Sections 2.34 of the Administrative Code.

(Fiscal impact.)
9/16/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

031548 **[Purchase from the S.F.Unified School District of Real Property located at 380 Bacon St., San Francisco for the Public Library]**
Mayor, Supervisor Ammiano

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and the San Francisco Unified School District (the "Seller" or "District"), for the purchase of real property and improvements located at 380 Bacon St., San Francisco (being a portion of Block 5983), for use as the Portola Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; No Public Benefit Recipient.)
9/16/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031549 **[Mixed-use development of affordable housing and a City office building at 10th and Market Streets]**
Supervisors Daly, Dufty

Resolution endorsing a term sheet describing the key terms and conditions of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and urging City staff to proceed with the preparation of agreements effectuating such a project.
9/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**
Supervisor Peskin

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

9/16/03, RECEIVED AND ASSIGNED to Board of Supervisors.

9/16/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on October 7, 2003, at 3:00 p.m.

9/20/03- Notice of Public Hearing for October 7, 2003 published in the SF Independent .

9/22/03 - Certified copies of letters sent with a copy of Notice of Public Hearing and a copy of draft Resolution authorizing acquisition of Assessor's Lot 001 in Asssessors Block 0074 located in San Francisco to the following:

(Brian M. O'Flynn, Martin J. Coyne, Randolph J. Pritel, Jim Reuben, Attorney at Law, Telegraph Hill Neighborhood Associates, c/o Deniise McCarthy)

9/22/03 - Affidavit of Notification of certified letters being sent.

p.m.

10/10/03 - Received background correspondence from Allan E. Low, Attorney, Luce Forward, Attorneys at Law. Copies distributed to each Board Member.

10/2/03 - Received correspondence from Allan E. Low, Luce Forward, Attorneys at Law representing the owners of 701 Lombard Street. Clerk's staff distributed to each Supervisor.

10/6/03 - Copy of correspondence received from Allen E. Low, Attorney at Law, addressed to Isabel Wade, Parks, Recreation and Open Space Advisory requesting that the matter calendared before PROSAC be continued. Staff distributed copies to each Board Member.

10/6/03 - Copy of correspondence received from Allen Low, Attorney at Law, requesting the Board to allow the withdrawal of the CEQA appeal and proceed with the hearing on the Eminent Domain issue on October 7, 2003. Staff distributed copies to each Board Member.

10/10/03 - Received background correspondence received from Allen Low, Attorney at Law. Copies distributed to each Board Member.

10/17/03 - Received supplemental letter from Allen Low, Attorney at Law. Copies distributed to each Board Member. Copies sent by Allen Low, Attorney to Planning Department, Recreation and Parks Department, Real Estate Department, City Attorney, Reuben & Alter and owners of property.

11/19/03 - Received correspondence from Brian Murphy O'Flynn, distributed to all Supervisors.

11/24/03 - Received copy of correspondence, addressed to the from City Attorney, from David Silverman, Reuben & Alter, attorney for project sponsor regarding the rescheduling of the Negaitive Declaration Appeal. Copies were distributed to each Board member.

031556 **[Investigate the closure of Real Food Co. on 24th Street in Noe Valley]**
Supervisors Dufty, Ma, Hall

Resolution requesting NLRB and DBI and other appropriate agencies to investigate the closure of Real Food Co. on 24th Street in Noe Valley.

9/16/03, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the September 25, 2003 meeting.

031566 **[Interim Controls Regulating Certain Industrially-Zoned Properties on Third Street Between Islais Creek and Paul Street]**
Supervisor Maxwell

Resolution adopting interim controls that would subject the following properties on Third Street between Islais Creek and Paul Avenue, which are currently zoned M (Industrial), to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood Commercial) for a period of twelve months: Assessor's Block 4501, Lots 001, 003, 004, and 005; Block 4881, Lots 012, 018, 022, and 024; Block 4912, Lot 006; Block 4940, Lots 012A, 012B, and 024; Block 5211, Lots 027 and 028; Block 5217, Lot 001; Block 5225, Lot 010; Block 5226, Lots 025, and 028; Block 5235, Lots 003 and 011; Block 5242, Lots 021, 022, 023, 024, and 042; Block 5253, Lots 003, 008, 029, 030, 031, 032, 033, and 034; Block 5260, Lots 001, 002, 003, 032, 034, 035 and 036; Block 5272, Lots 045 and 048; Block 5279, Lots 001, 002 and 003; Block 5414, Lots 005, 006, 007, 008, 025, 026, 027, 028, and 030; Block 5418, Lots 001, 002, and 010; Block 5419, Lots 006, 007, 007B, 007C, 009, 015, 016, 017, and 018; Block 5421, Lot 011; Block 5429, Lot 002; Block 5431A, Lots 001, 001M, 001U, 001V, and 004; adopting findings pursuant to Planning Code Section 101.1.
9/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

031578 **[Acquisition of a New Voting System]**
Supervisor Gonzalez

Resolution encouraging the Department of Elections to issue a Request For Proposals for touch screen voting equipment that will accommodate Ranked Choice Voting.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031570 **[Walk to School Day]**
Supervisors Ma, Dufty

Resolution declaring October 8, 2003 as "Walk Our Children to School Day" in the City and County of San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031571 **[Commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society]**
Supervisors Ma, Sandoval

Resolution commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society for their work organizing the 9th Annual Sunset Community Festival.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031572 **[Latino Heritage Month]**
Supervisors Ma, Dufty, Sandoval

Resolution declaring September 2003 as "Latino Heritage Month" in the City and County of San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031577 **[STOP Intersection.]**
Supervisor Newsom

Resolution designating the intersection of Alemany Boulevard and Lawrence Street as an all "STOP" intersection.

STOP SIGNS - ESTABLISH
Alemany Boulevard and Lawrence Street, making this intersection an all way stop.
9/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

031579 **[Mental Health Services Act]**
Supervisor Ammiano

Resolution endorsing the California Mental Health Services Act Initiative for the November 2004 statewide ballot.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031580 **[UC Berkeley Extension Photography Program]**
Supervisor Ammiano

Resolution urging the UC Berkeley Extension to maintain a Photography Program and darkroom in San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031581 **[Supporting International Arts Festival 2005]**
Supervisors Ammiano, Daly

Resolution supporting International Arts Festival 2005 in San Francisco, strategically promoting this important resource to potential partner governments from around the world to help stimulate economic activity, foster meaningful cultural exchange and develop more earned income opportunities for our artists.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031582 **[Commending the 120th Anniversary of Immaculate Conception Academy]**
Supervisors Dufty, Hall

Resolution commending the 120th Anniversary of Immaculate Conception Academy for its dedicated mission of educating young San Franciscans and its contributions to the Mission District and greater City community.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031583 **[Commending SFPD Captain Michael Yalon]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Michael Yalon.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031584 **[Commending SFPD Captain Dan Lawson]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Dan Lawson.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031585 **[Establishment of Little Saigon in the Tenderloin]**
Supervisors Daly, Ma

Resolution supporting the establishment of Little Saigon as a Vietnamese cultural and commercial center in the Tenderloin.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031586 **[Mental Health Services Act]**
Supervisor Newsom

Resolution urging the voters of the State of California to pass the Mental Health Services Act.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031587 **[Clay and Arguello Streets]**
Supervisor Newsom

Resolution urging the Department of Parking and Traffic to paint the crosswalk running North to South on Arguello and place intersections at Clay crossing Arguello on the North side.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031588 **[Changing the name of Pardee Alley in North Beach to "Jack Micheline Place"]**
Supervisors Peskin, Gonzalez, Daly, McGoldrick

Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Place", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031589 **[Stop Sign Designation - Greenwich and Powell Streets]**
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031590 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by creating section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, section 7 to be consistent with the Ordinance, amending the Zoning Map Section Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031591 **[Opposing the Declawing of Cats]**
Supervisor Sandoval

Resolution urging pet guardians and veterinarians to discontinue the practice of declawing cats in the City and County of San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031592 **[Commending San Francisco Conservation Corp]**
Supervisor Sandoval

Resolution commending the San Francisco Conservation Corp for its 20 years of outstanding service to San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031593 **[Commending Richard Ironcloud and Armando Blackbear]**
Supervisors Sandoval, Peskin

Resolution commending Richard Ironcloud and Armando Blackbear for their swim across San Francisco Bay, highlighting the importance of healthy living.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031594 **[Accept Federal Grant - fiscal year 2003 lead hazard reduction demonstration grant program]**
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $4,000,000.

(No Public Benefit Recipient.)
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

031573 **[Extending the San Francisco Zoo Audit Select Committee]**
Supervisor Ma

Motion extending the San Francisco Zoo Audit Select Committee.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031540 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031544 **[Unfinished business from adjourned Board meetings to be scheduled for next regularly scheduled Board meeting]**
Supervisor Gonzalez

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 3.14, which directs that when the Board of Supervisors adjourns a meeting of the Board and unfinished items of business remain on the agenda for the adjourned meeting, the Clerk of the Board of Supervisors shall reschedule those unfinished items of business for the agenda of the next regularly scheduled meeting of the Board.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031550 **[Public Hearing - Eminent Domain]**
Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003, at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in San Francisco.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Board to sit as a Committee of the Whole, to hold a public hearing on October 7, 2003, at 4:00 p.m.

031553 **[Closed Session - Conference with City Attorney, Significant Exposure to Litigation against the City]**
Supervisor Dufty

Motion that the City Services Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the significant exposure to litigation against the City that may arise from the City's implementation of Proposition S, approved by the voters of the City and County of San Francisco at the November 5, 2002, consolidated general election, which Proposition declares the policy that various City officials explore the possibility of establishing a program whereby the City would grow medical cannabis and distribute it to patients attempting to exercise their rights under Proposition 215, California's Compassionate Use Act of 1996.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d) permit this closed session.
9/16/03, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be calendared at the 9/25/03 meeting, closed session with the City Attorney.

031559 **[Amending Domestic Partnership Requirements]**
Supervisors Ammiano, Dufty

Motion ordering submitted to the voters an ordinance authorizing and amending Chapter 62 of the Administrative Code by amending Section 62.1 to update the statement of purpose; repealing Section 62.3(c) to eliminate a residency requirement; adding Section 62.10(c) to authorize the Board of Supervisors to amend domestic partnership legislation; and adding Section 62.11 to add a severability provision at an election to be held on March 2, 2004.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031568 **[Calling from the Table Legislative Item 031361 (General Assistance – In-Kind Assistance; Department of Human Services Care Fund)]**
Supervisor Newsom

Motion calling from the table legislative item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) and directing the Clerk of the Board of Supervisors to place item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) on the calendar for the September 30th, 2003 meeting.
9/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearings

031552 **[Hearing - Acquisition of Property by Eminent Domain - 701 Lombard Street]**
Hearing of persons interested in or objecting to proposed resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Clerk of the Board)

(Companion measure to Files 031550, 031551, 031552.)
9/16/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on October 7, 2003, at 3:00 p.m.

031554 **[Student Safety and Public Transportation]**
Supervisor Ma

Hearing to review concerns and issues surrounding student safety and public transportation, with particular focus on transportation in the area surrounding Galileo High School and to make recommendations for future plans to ensure student safety. The hearing shall include, but not limited to, representatives from the SFUSD, Police Department, MUNI, the Youth Commission, concerned parents and other interested parties.
9/16/03, RECEIVED AND ASSIGNED to City Services Committee.

031563 **[Department of Public Health's Report]**
Supervisor Ammiano

Hearing to consider the Department of Public Health's report and recommendations regarding: Homeless Services for Individuals with Mental Health Diagnoses, Substance Abuse Diagnoses, or other Chronic Medical Conditions.
9/16/03, RECEIVED AND ASSIGNED to City Services Committee.

031564 **[Budget Analyst's Management Audit of the Controller's Office.]**
Supervisor Hall

Hearing to consider the Budget Analyst's Management Audit of the Controller's Office.
9/16/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031565 **[School District]**
Supervisors Gonzalez, Ma

Hearing to discuss the School District's 30-year effort to desegregate and make equitable public schools throughout the district. The discussion should include: 1) the successes and failures of past district policies including the 1993 racial caps on enrollment and the 1999 lawsuit settlement mandating racial integration without using race; 2) the current district policy of using a diversity index and whether this index is the only mechanism the City can utilize to be in compliance with the 1999 settlement; 3) the demographics of those who do not get their first choice school; and 4) disparities in quality of facilities, resources, etc. that exists in our school district and whether these disparities are giving rise to opposition to the diversity index.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031595 **[San Francisco Housing Study]**
Supervisor Dufty

Hearing to discuss the findings of the Residential Rent Stabilization and Arbitration Board's comprehensive San Francisco housing study authorized by City Ordinance 55-00.
9/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

Charter Amendments

031541 **[Charter Amendment - Authorizing: tax-deferred transfer of vacation and sick leave; amendments to Domestic Partnership Ordinance equalizing benefits and obligations of domestic partners and spouses; providing military leave compensation.]**
Supervisor Newsom

Charter amendment (First Draft) to amend Section A8.400 (h) to allow for employees called to active duty to receive supplemental compensation for a period to be specified by ordinance.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031542 **[Charter Amendment - Reclassify Deputy Sheriffs as Safety Employees Covered Under Charter Section A8.590-1 et seq.]**
Supervisors Ma, Daly, Dufty

Charter amendment (First Draft) to amend Sections A8.409 and A8.590 to reclassify Deputy Sheriffs as safety employees covered under the labor negotiation provisions set forth in Charter Section A8.590.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031543 **[Charter Amendment-Tolling Board deadlines during recess, reducing votes required when Board members are disqualified, limiting hold-over appointments, setting deadlines for police and fire negotiations, and re-naming the Commission on Aging.]**
Supervisor Gonzalez

Charter Amendment (First Draft) to amend Section A8.590 to provide for timelines for completion of Police and Fire negotiations identical to those already in place for other employee labor negotiations under Charter Section A8.409.
9/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031547 **[Charter Amendment - Tax-deferred transfer of accrued vacation, sick leave and other compensation to employees]**
Supervisor Sandoval

Charter amendment (First Draft) to add Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031560 **[Charter Amendment - Appointment of a City Engineer responsible for the design and construction management of all public buildings and public works]**
Supervisor Ammiano

Draft Charter amendment to amend section 4.130 relating to the Department of Public Works and appointment of a City Engineer.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031561 **[Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]**
Supervisor Ammiano

Charter amendment (First Draft) to amend Section 4.127 and to add Section 16.123, to: increase the minimum police staffing level by 188 officers to include Airport Police; provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2006.

031562 **[Charter Amendment - Retirement System benefits for domestic partners]**
Supervisors Ammiano, Dufty

Charter amendment (First Draft) to add Section A8.500-3 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031567 **[Charter Amendment - San Francisco Department of Public Health]**
Supervisors Daly, Gonzalez

Draft Charter Amendment to add Article VIIIC, to provide additional fiscal authority to the Health Commission and require greater qualifications of Health Commissioners, designate universal healthcare as the Department's top advocacy priority, establish a baseline funding level for the Department of Public Health and for programs helping San Franciscans with chronic illnesses, guarantee the operation of county hospitals and clinics, establish levels for trauma care, guarantee culturally competent care through community-based primary care clinics, require operation of the Mental Health Rehabilitation Facility, streamline contracting bureaucracy, and establish pay equity for nonprofit and City workers performing similar jobs.
9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

031569 **[Charter Amendment - Commission on Aging to Commission on Aging and Adult Services]**
Supervisor Daly

Charter amendment (First Draft) to amend Section 4.120 to change the name of the Commission on Aging to Commission on Aging and Adult Services.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

031574 **[Charter Amendment - Board of Supervisors to respond to all orders or requests for the production of City records under designated state and federal laws]**
Supervisors McGoldrick, Peskin

Charter amendment (First Draft) to add Section 16.124 to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

PROPOSED ORDINANCES

031490 **[Angle Parking]**
Supervisor Daly

Ordinance amending San Francisco Traffic Code Sections 55 and 132 to prohibit any person from parking or standing a vehicle other than at the angle of the curb or edge of roadway indicated by signs or markings, and to provide for penalties. (Parking and Traffic Department)

(No Public Benefit Recipient.)
8/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

031515 **[Settlement of Lawsuit - Jonathan Johnson]**
Ordinance authorizing settlement of the lawsuit filed by Jonathan Johnson against the City and County of San Francisco for $150,000; the lawsuit was filed on June 11, 2001 in San Francisco Superior Court, Case No. 322-080; entitled Jonathan Johnson, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the waiver of the San Francisco General Hospital medical lien in the amount of $29,281.37. (City Attorney)

(Public Benefit Recipient.)
9/4/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

031444 **[Contract funds for SFHIV Vaccine Clinical Trials Unit, 2003 to 2004]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $405,101 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fourth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); for the period of June 1, 2003 to May 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)
8/19/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled at the September 18, 2003 meeting.

031453 **[FY 2003-2004 State grant funds to the Department of Public Health from the California Department of Health Services]**
Supervisors Dufty, Daly

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2003-2004. (Public Health Department)

(No Public Benefit Recipient.)
8/21/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled at the September 18, 2003 meeting.

031454 **[Treatment of Latent Tuberculosis Infection in refugees newly arriving in San Francisco.]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $45,000, from the State Department of Health Services, Refugee Health (DHS, RH) to improve treatment of Latent Tuberculosis Infection (LTBI) in refugees newly arriving in San Francisco; for the period of August 1, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)
8/22/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the September 18, 2003 meeting.

031489 **[Emergency Repairs]**
Resolution authorizing the expenditure of funds for emergency repairs of the Early Intake Switchback Road at Hetch Hetchy, at an estimated cost of $2,000,000. (Public Utilities Commission)

(No Public Benefit Recipient.)
8/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031493 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $211,975 from the Federal Emergency Management Agency (FEMA) to acquire 208 one-hour Self-Contained Breathing Apparatus (SCBA) Air Bottles, a mobile breathing air compressor unit, and a portable auxiliary communication repeater unit. (Fire Department)

(No Public Benefit Recipient.)
8/19/03, RECEIVED AND ASSIGNED to City Services Committee.

031494 **[Contracting for Security Guard Services at 1680 Mission Street for fiscal year 2003-2004]**
Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Bureaus of Construction Management and Engineering Offices at 1680 Mission Street by private contractor for a lower cost that if the services were performed by City employees. (Public Works Department)

(No Public Benefit Recipient.)
8/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031511 **[Settlement of Claim - Eric M. Hansen]**
Resolution approving the settlement of the unlitigated claim filed by Eric M. Hansen against San Francisco for $52,500; claim was filed on October 8, 2002. (City Attorney)

(Public Benefit Recipient.)
9/4/03, RECEIVED AND ASSIGNED to Rules Committee.

031517 **[Agreement to Sell 418-420 Jessie Street]**
Supervisors Dufty, Daly, Hall

Resolution approving and authorizing an agreement with Martin McNerney Development, Inc. dba Martin Building Company, Inc. for the sale of real property consisting of a former fire station on the first and second floors and vacant warehouse space on the upper six floors, for a purchase price of $2,900,000; finding that competitive bidding is impractical or impossible; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)
9/3/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031518 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Environmental Protection Agency to provide training to municipal staff involved in construction and renovation of municipal buildings on Leadership in Energy and Environmental Design (LEEDTM) sustainable building standards and to develop a database to track municipal green building projects and their environmental benefits to the City and County of San Francisco. (Environment)

(No Public Benefit Recipient.)
9/5/03, RECEIVED AND ASSIGNED to City Services Committee.

031519 **[Refugee County Plan]**
Resolution approving the San Francisco Federal Fiscal Year 2003 Refugee County Plan. (Private Industry Council)

(No Public Benefit Recipient.)
9/4/03, RECEIVED AND ASSIGNED to City Services Committee.

031525 **[Agreement for Tolling of Statute of Limitations Governing Lawsuit]**
Resolution approving the City Attorney's entry into a tolling agreement governing suit by plaintiff Natasha Madaris entitled Natasha Madaris v. San Francisco Unified School District and City and County of San Francisco, Case No. 417-848. (City Attorney)
9/5/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Sandoval
To: Edwin Lee, Director of Department of Public Works
Requesting/Inquiring: Inquiring about the feasibility of continuing sidewalk on Alemany Blvd between Trumbull and Congdon Streets to protect pedestrians from traffic. Currently, the sidewalk on Alemany Blvd. ends at Trumbull Street and does not resume until Congdon Street. Due to the high volume of traffic on Alemany Blvd., a sidewalk connecting Trumbull and Congdon streets is necessary.
Also requesting the Clerk of the Board send a copy of this letter and its response to:

Carol Antrocelli
224 Oxford Street
San Francisco, CA 94134

From: Supervisor Hall
To: Recreation and Park Department
Requesting/Inquiring: Are swimmers still able to purchase discount tickets at Sava Pool? Does the Department have discount tickets still available for purchase? Where are those tickets sold?

From: Supervisor Newsom
To: Gerald R. Norman, Department of Parking and Traffic
Requesting/Inquiring: Inquiring of an evaluation of traffic along Laurel Street between Euclid and California Streets for pedestrian and vehicular safety improvements.

In Memoriams

James Hahn (Supervisor Dufty)
Timothy O'Donnell (Supervisor Hall)
Marie McAuliffe McKeever (Supervisor Hall)
Michael Hallinan (Supervisor Hall, Gonzalez)
C. H. Sisson (Supervisor Gonzalez)
Linda Rousell Bartholemew (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 5:30 a.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 7, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

DOCUMENTS DEPT.
JAN 12 2004
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PUBLIC LIBRARY

Tuesday, September 23, 2003 2:00 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 98 Number 32

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:08 p.m.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

031390 **[Lease of Real Property]**
Supervisor Daly

Resolution authorizing renewal of a lease of real property at 1372 Mission Street, for continued use by the Department of Public Health's Saint James Infirmary and STD Program Research Offices (Real Estate Department)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as sponsor.
Resolution No. 615-03
ADOPTED

31394 **[Lease of Real Property]**
Supervisor Maxwell

Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 400, for continued use by the Department of Public Health, Employee Assistance Program. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 616-03
ADOPTED

031403 **[Lease of Real Property]**
Supervisors Ammiano, Dufty

Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 401, for continued use by the Department of Public Health, STD Program Administrative Headquarters. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 617-03
ADOPTED

031435 **[Contracting Out City Services]**
Resolution retroactively concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

Resolution No. 620-03
ADOPTED

Recommendations of the Land Use Committee

031436 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
26th and Diamond Streets, stopping Diamond Street, making this intersection an all-way STOP;
Montecito Avenue and Northwood Drive, stopping Northwood Drive, making this uncontrolled intersection a two-way STOP; and
15th Avenue and Noriega Street, south intersection, stopping southbound 15th Avenue at Noriega Street, making this uncontrolled Y-intersection a one-way STOP. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

Resolution No. 621-03
ADOPTED

031438 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO U-TURNS - ESTABLISH
Treasure Island Road, both directions, at McCalla Road.

LEFT LANE MUST TURN LEFT - ESTABLISH
Grant Avenue, northbound, at Pine Street.

NO LEFT TURN, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
Montgomery Street, northbound, at Broadway. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

Resolution No. 623-03
ADOPTED

31437 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
9th Avenue, east side, from Lake Street to the north terminus (legislates existing street conditions);
Diamond Street, west side, from 22nd to 23rd Streets (legislates existing street conditions);
Wisconsin Street, both sides, from 19th to 20th Streets (legislates existing street conditions);
Wisconsin Street, west side, from 20th to 22nd Streets (legislates existing street conditions);
Duboce Avenue, north side, from Castro to Divisadero Streets (legislates existing street conditions);
Arkansas Street, west side, from 16th to Mariposa Streets (legislates existing street conditions);
Arkansas Street, east side, from Mariposa to 18th Streets (legislates existing street conditions);
Arkansas Street, both sides, from 18th to 19th Streets (legislates existing street conditions);
Arkansas Street, west side, from 19th to 20th Streets (legislates existing street conditions);
Rhode Island Street, east side, from 20th Street to Mariposa Street (legislates existing street conditions); and
Rhode Island Street, west side, from 19th Street to Mariposa Street (legislates existing street conditions).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Castro Street, east side, from 100 to 230 feet south of Duboce Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Melrose Avenue, along east terminus, east of Foerster Street (adjacent to Sunnyside Playground).

1-HOUR PARKING METERS, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
California Street, north side, from Locust Street to 231 feet easterly (commercial frontage only, up to 3440 California Street)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Farrugut Avenue, north side, from Alemany Boulevard to the western terminus.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
18th Street, both sides, between Clover and Douglass Streets (4500 block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Langton Street, east side, between Folsom and Harrison Streets.

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Julian Avenue, both sides, between 15th and 16th Streets.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Rondel Place, both sides, between 16th Street and south terminus. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

Resolution No. 622-03
ADOPTED

Recommendation of the Rules Committee

031432 **[Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]**

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufacturers, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay $70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Daly requested that this matter be severed so that it could be considered separately.

031465 **[Grant of Federal Funds]**
Mayor

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $48,094,526 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs.

(No Public Benefit Recipient.)

Supervisor Daly requested to divide the question to consider on page 3, line 16 "Motor Coach Replacement." separately.
The divided question on Motor Coach Replacement failed by the following vote:
Ayes: 3- Ammiano, Daly, Gonzalez
Noes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 607-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

031238 **[Establishing a Department of Human Services Care Fund]**
Supervisors Hall, Newsom, Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

(Fiscal impact.)

Ordinance No. 237-03
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 2 - McGoldrick, Sandoval

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031333 **[Making Environmental Findings and Increasing Street Artist Certificate Fee]**
Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Hall, McGoldrick, Newsom, Peskin, Sandoval
Noes: 5 - Daly, Dufty, Gonzalez, Ma, Maxwell

031396 **[Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]**
Supervisors Daly, Sandoval

Ordinance appropriating $500,000 from the General Fund Reserve and rescinding $700,000 in parking revenues and $200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031317 [MOU - Police Officers' Association (SFPOA)]
Mayor, Supervisor Dufty

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031383 **[Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031388 **[Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2004. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031393 **[Setting S.F. Community College District's fiscal year 2003-2004 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2004. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031395 **[Funding from the General Reserve and re-appropriate salaries to fund the October 2003 Recall Election]**
Mayor

Ordinance appropriating $3,232,983 from the General Fund Reserve and re-appropriating $150,000 of permanent salaries for a total of $3,382,983 for temporary salaries, overtime, fringe benefits, non personal services, materials and supplies, and services of other departments associated with the October 2003 recall election for Elections Department for fiscal year 2003-2004.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin
Noes: 2 - Daly, Ma
Absent: 1 - Sandoval

31400 **[MOU Amendment No 1 - International Brotherhood of Electrical Workers, Local 6]**
Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by adding paragraph 149a, which provides for a premium to certain classes providing signal operations at the Department of Parking and Traffic, which was inadvertently omitted from the MOU, to be effective July 1, 2003 through June 30, 2005.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031425 **[Appropriate funding for the Art Commission for municipal symphony concerts using property tax revenue]**
Ordinance appropriating $23,273 for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2003-04. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031270 **[Contracting out Paratransit Services]**
Resolution concurring with the Controller's determination that paratransit services for the Munucipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

(Public Benefit Recipient.)

Resolution No. 613-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031389 **[Amending the Redevelopment Agency Budget for Tax Increments in Mission Bay North and South]**
Resolution amending the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004 to allow the Controller to increase the tax increments distributed to the Redevelopment Agency in accordance with the Tax Increment Allocation Pledge Agreements for Mission Bay North and Mission Bay South. (Controller)

(Fiscal impact.)

Resolution No. 604-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031404 **[Development of Property Located at Broadway and Battery Streets For Affordable Housing]**
Mayor, Supervisors Peskin, Dufty, Daly, Hall

Resolution authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement and below market long-term ground lease with Chinatown Community Development Center, a nonprofit public benefit corporation, for the development of affordable housing, together with a child care center, neighborhood-serving commercial space, and associated parking on real property located on the south side of Broadway between Battery and Front streets; affirming the Planning Commission's adoption of the mitigated negative declaration for the project; adopting environmental findings under the California Environmental Quality Act; and adopting findings that the project is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; Public Benefit Recipient.)

Supervisors Daly and Hall requested to be added as co-sponsors.

Resolution No. 605-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031426 **[FY 2003-04 California Constitution Appropriations Limit]**
Resolution establishing the appropriations limit for Fiscal Year 2003-04 pursuant to California Constitution Article XIII B. (Controller)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 618-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031428 **[Federal Grant Amendments for Airport Improvement Program]**
Resolution authorizing the Airport Commission to accept amendment to grant agreements offered by the Federal Aviation Administration ("FAA") for AIP 16, AIP 17, and AIP 19; and to release grant fund from reserve, in the amount of $1,202,977 under AIP 17. (Airport Commission)

(Public Benefit Recipient.)

Resolution No. 619-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031464 **[Jurisdictional Transfer]**
Mayor, Supervisors Peskin, Dufty, Daly

Resolution transferring jurisdiction from the Department of Public Works to the Mayor's Office of Housing Real Property Identified as Assessor's Block 141, Lot 11 for the development of affordable housing; and adopting findings pursuant to City Planning Code Section 101.1.

(Companion measure to File 031404.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 606-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

031468 **[Lease of Real Property]**
Supervisors Hall, Sandoval

Resolution approving and authorizing a new lease between the City and County of San Francisco, as tenant, and the Regents of the University of California, a California corporation, as landlord, of warehouse space at 626 Forbes Boulevard, South San Francisco.

(Fiscal impact; Public Benefit Recipient.)

Supervisor Sandoval noted present at 2:49 p.m.

Resolution No. 627-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031499 **[Municipal Transportation Agency Leverage Lease Financing]**
Mayor

Resolution authorizing one or more lease-to-service contract transactions with respect to up to 21 Breda light rail cars; approving the form of and authorizing the execution and delivery of a Participation Agreement setting forth the terms and conditions of the lease-to-service contract transaction relating to the rail cars; approving the form of and authorizing the execution and delivery of a Head Lease Agreement providing the terms and conditions pursuant to which the rail cars will be leased to a trust; approving the form of and authorizing the execution and delivery of a Head Lease Supplement supplementing the terms and conditions pursuant to which specific rail cars will be leased to the trust; approving the form of and authorizing the execution and delivery of a Sublease Agreement providing the terms and conditions pursuant to which the trust will lease the rail cars back to the City to be operated and maintained by the City; approving the form of and authorizing the execution and delivery of a Sublease Supplement supplementing the terms and conditions pursuant to which the City will lease back the rail cars from the trust; approving the form of and authorizing the execution and delivery of a Payment Agreement providing the terms and conditions pursuant to which the City will provide for the payment of a portion of the sublease rent; approving the form of and authorizing the execution and delivery of an Equity Collateral Security Agreement and a Custody Agreement providing the terms and conditions pursuant to which the City will provide for a custody account to hold, and a security interest in, certain securities for the payment of a portion of the sublease rent and the purchase option purchase price if the purchase option is or is deemed exercised; approving the form of and authorizing the execution and delivery of a Support and Access Agreement providing the terms and conditions pursuant to which the City will provide the trust support and access to certain property if the City chooses not to exercise the purchase option; approving the form of and authorizing the execution and delivery of an Agreement for Assignment on Default which will provide the lender to the trust with an option to purchase, and take an assignment of the equity investor's beneficial interest in the trust estate upon the occurrence of certain events ; approving the form of and authorizing the execution and delivery of a Tax Indemnification Agreement providing the terms and conditions under which the City will indemnify under certain circumstances the equity investor for income inclusions or losses of tax benefits; approving the form of and authorizing the execution and delivery of an Insurance and Indemnity Agreement providing the terms and conditions under which the City will indemnify the strip surety provider; approving indemnification of various parties; acknowledging the waiver of the City's right to jury trial under certain circumstances; acknowledging proposed waiver requests pursuant to Sections 12B.5-1(d) and 12C.5-1(d) of the San Francisco Administrative Code; finding that the lease-to-service contract transaction is designed to reduce the amount or duration of payment or similar risk to the City or enhance the relationship between risk and return with respect to investments made pursuant to or in connection with such transaction; approving and authorizing the execution and delivery of any document necessary to implement this Resolution; authorizing the execution and delivery of documents in conforming sets for the equity investor; ratifying and approving any action heretofore taken in connection with the transaction contemplated by this Resolution; and related matters.

Supervisor Sandoval dissenting.

Resolution No. 599-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval

Recommendation of the Land Use Committee

031439 **[Speed Limit – Potrero Avenue between Brannan and Cesar Chavez Streets]**
Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Peskin, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor McGoldrick introduced, welcomed and presented Certificates of Honor to Members of the Friends of Recreation and Parks.

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; Care Not Cash issues
Richard Robertson; Iraq war issues
Bob Tomcastle; rights for members in the military service
Vernon Jenkins; general issues
Male Speaker; gratefulness to the Board of Supervisors and more grass roots
Joan Miller; opposing Item No. 46 Resolution opposing the declawing of cats
Female Speaker; homeless issues
Elena; thanked Supervisor Gonzalez staff; Public Access issues
Male Speaker; free speech issues
Jim Reuben, owners of 701Lombard Street Item 52, request to send this committee
Joe O'Donoghue; opposition to Item 52
Dr. Richard Becker, President of Veterinary Medical Association, opposing Item No. 46 Resolution opposing the declawing of cats
Tom Mack; Veterinary Medical Association,opposing Item No. 46 Resolution opposing the declawing of cats
Dr. Norman Fried, Veterinary medicine, opposing Item No. 46 Resolution opposing the declawing of cats
Julie Christiansen; support of Item 52
Paul Scott; President of Telegraph Hill Dwellers
Susie Hersch; support of Item 52
Male speaker; commend City of San Francisco for weekend at the park
Brian O'Flynn; owner of 701 Lombard Street, opposition to Item 52, request to send to committee
Joseph; HR 20 and Health Fair for homeless program
Dr. Chang; support of Item 52

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 31 through 56

031570 **[Walk to School Day]**
Supervisors Ma, Dufty

Resolution declaring October 8, 2003 as "Walk Our Children to School Day" in the City and County of San Francisco.

Resolution No. 628-03
ADOPTED

031571 **[Commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society]**
Supervisors Ma, Sandoval

Resolution commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society for their work organizing the 9th Annual Sunset Community Festival.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 629-03
ADOPTED

031572 **[Latino Heritage Month]**
Supervisors Ma, Dufty, Sandoval

Resolution declaring September 2003 as "Latino Heritage Month" in the City and County of San Francisco.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 630-03
ADOPTED

031579 **[Mental Health Services Act]**
Supervisor Ammiano

Resolution endorsing the California Mental Health Services Act Initiative for the November 2004 statewide ballot.

Resolution No. 631-03
ADOPTED

031580 **[UC Berkeley Extension Photography Program]**
Supervisor Ammiano

Resolution urging the UC Berkeley Extension to maintain a Photography Program and darkroom in San Francisco.

Resolution No. 632-03
ADOPTED

031581 **[Supporting International Arts Festival 2005]**
Supervisors Ammiano, Daly

Resolution supporting International Arts Festival 2005 in San Francisco, strategically promoting this important resource to potential partner governments from around the world to help stimulate economic activity, foster meaningful cultural exchange and develop more earned income opportunities for our artists.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 633-03
ADOPTED

031582 **[Commending the 120th Anniversary of Immaculate Conception Academy]**
Supervisors Dufty, Hall

Resolution commending the 120th Anniversary of Immaculate Conception Academy for its dedicated mission of educating young San Franciscans and its contributions to the Mission District and greater City community.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 634-03
ADOPTED

031583 **[Commending SFPD Captain Michael Yalon]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Michael Yalon.

Resolution No. 635-03
ADOPTED

031584 **[Commending SFPD Captain Dan Lawson]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Dan Lawson.

Resolution No. 636-03
ADOPTED

31585 **[Establishment of Little Saigon in the Tenderloin]**
Supervisors Daly, Ma

Resolution supporting the establishment of Little Saigon as a Vietnamese cultural and commercial center in the Tenderloin.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 637-03
ADOPTED

031586 **[Mental Health Services Act]**
Supervisor Newsom

Resolution urging the voters of the State of California to pass the Mental Health Services Act.

Resolution No. 638-03
ADOPTED

031587 **[Clay and Arguello Streets]**
Supervisor Newsom

Resolution urging the Department of Parking and Traffic to paint the crosswalk running North to South on Arguello and place intersections at Clay crossing Arguello on the North side.

Resolution No. 639-03
ADOPTED

031589 **[Stop Sign Designation - Greenwich and Powell Streets]**
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.

Resolution No. 644-03
ADOPTED

031590 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by creating section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, section 7 to be consistent with the Ordinance, amending the Zoning Map Section Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.

Resolution No. 640-03
ADOPTED

031591 **[Opposing the Declawing of Cats]**
Supervisor Sandoval

Resolution urging pet guardians and veterinarians to discontinue the practice of declawing cats in the City and County of San Francisco.

Resolution No. 645-03
ADOPTED

031592 **[Commending San Francisco Conservation Corp]**
Supervisor Sandoval

Resolution commending the San Francisco Conservation Corp for its 20 years of outstanding service to San Francisco.

Resolution No. 641-03
ADOPTED

031593 **[Commending Richard Ironcloud and Armando Blackbear]**
Supervisors Sandoval, Peskin

Resolution commending Richard Ironcloud and Armando Blackbear for their swim across San Francisco Bay, highlighting the importance of healthy living.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 642-03
ADOPTED

031594 **[Accept Federal Grant - fiscal year 2003 lead hazard reduction demonstration grant program]**
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $4,000,000.

(No Public Benefit Recipient.)

Resolution No. 611-03
ADOPTED

031573 **[Extending the San Francisco Zoo Audit Select Committee]**
Supervisor Ma

Motion extending the San Francisco Zoo Audit Select Committee.

Motion No. M03-176
APPROVED

031540 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-174
APPROVED

031529 **[Final Map for a 9 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 581 Hayes Street, A Mixed Use Condominium Project, being a subdivision of Lot 54, Assessor's Block No. 818, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,381; District 6.)

Motion No. M03-171
APPROVED

031536 **[Final Map for a 50 Unit Residential Condominium Project]**
Motion approving Final Map of 1 Federal Street, a Residential Condominium Project, being a subdivision of Lot 189 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,383; District 6.)

Motion No. M03-172
APPROVED

031537 **[Final Map for a 192 Unit Residential/Commercial Condominium Project]**
Motion approving Final Map of 200 Brannan Street a Residential/Commercial Condominium Project, being a subdivision of Lot 190 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,384; District 6.)

Motion No. M03-173
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

031588 **[Changing the name of Pardee Alley in North Beach to "Jack Micheline Place"]**
Supervisors Peskin, Gonzalez, Daly, McGoldrick

Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Place", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to amend by replacing "Jack Micheline Place" with "Jack Micheline Alley". New Title.

AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Alley", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.

Supervisors Daly and McGoldrick requested to be added as a co-sponsors.

Resolution No. 643-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Peskin requested that this matter be severed so that it could be considered separately

031550 **[Public Hearing - Eminent Domain]**
Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003, at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in San Francisco.

Supervisor Hall, seconded by Supervisor Dufty, moved to send this matter to committee.
Motion failed by the following vote:
Ayes: 3 - Dufty, Hall, Ma
Noes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Motion No. M03-175

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Dufty, Hall

Supervisor Daly requested that this matter be severed so that it could be considered separately.

031568 **[Calling from the Table Legislative Item 031361 (General Assistance – In-Kind Assistance; Department of Human Services Care Fund)]**
Supervisor Newsom

Motion calling from the table legislative item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) and directing the Clerk of the Board of Supervisors to place item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) on the calendar for the September 30th, 2003 meeting.

Supervisor Newsom, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 5 - Dufty, Hall, Ma, Newsom, Peskin
Noes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030667 **[Amending Residential Rent Stabilization and Arbitration Ordinance]**
Supervisors Gonzalez, Daly

Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.3 and 37.9: to prohibit rent increases solely for the addition of occupants, even where a pre-existing rental agreement or lease specifically permits a rent increase for additional occupants, except that the landlord may petition the Rent Board for a rent increase under Section 37.8(e)(4) based on the increased cost for an additional occupant [Section 37.3(a)(11)]; and to prohibit evictions solely for the addition of occupants, up to a maximum of two occupants per habitable sleeping room, even where a pre-existing rental agreement or lease prohibits additional occupants, except where this total would exceed the number of occupants permitted under other applicable state law and/or other local codes or otherwise fail to comply with such other applicable state law and/or local codes (e.g., Planning, Housing and Building Codes) [Section 37.9(a)(2)].

4/14/03, RECEIVED AND ASSIGNED to Land Use Committee.

9/23/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

9/23/03, ASSIGNED to Land Use Committee.

031603 **[Generation Solar: Residential and Commercial Solar Program]**
Supervisor Ammiano

Ordinance requiring the Public Utilities Commission and the Department of the Environment in consultation with other City departments to implement Generation Solar, a solar program for the residential and commercial sectors.

(No Public Benefit Recipient.)

9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

031607 **[Appropriate funding from the General Reserve for Fire Engine 33]**
Supervisors Sandoval, Gonzalez, Peskin

Ordinance appropriating $1,600,000 from the General Fund Reserve for uniform salaries, premium pay, uniform overtime, fringe benefits, and materials and supplies and utilities to fund Fire Engine 33 for fiscal year 2003-2004.

9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031608 **[Taxicab Gate Fees]**
Supervisor Hall

Ordinance amending Section 1135.1 of the Police Code to provide for extending from November 1, 2003 to January 1, 2004 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a long-term lease fee cap covering long-term lease drivers; and to authorize the Board of Supervisors by resolution to extend the times provided for in Section 1135.1 for sunsetting the higher gate fee cap.
9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

031609 **[Authorizing an alternative procedure for establishing property and business improvement districts]**
Supervisor Peskin

Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 20 years; authorizing such districts to encompass and assess residential property, and repealing Sections 1513 through 1591.
9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031610 **[Adding San Francisco Fire Department to those Departments that are allowed to authorize employees to drive department vehicles to and from their residences]**
Supervisor Sandoval

Ordinance amending San Francisco Administrative Code Chapter 4 Section 4.11 to add the San Francisco Fire Department to those Departments that are allowed to authorize employees to drive department vehicles to and from their residences and to authorize the San Francisco Fire Department to use 10 vehicles in that manner.
9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

031611 **[Review of Concession Opportunity]**
Supervisor Peskin

Resolution authorizing the Director of the Department of Administrative Services to review the benefits of and to solicit bids for the award of an agreement for use of sites owned or occupied by the City and County of San Francisco for beverage vending services.
9/23/03, RECEIVED AND ASSIGNED to City Services Committee.

031612 **[Commending Sacred Heart Cathedral Preparatory new Student Life Center]**
Supervisors Newsom, Hall

Resolution commending the Sacred Heart Cathedral Preparatory School on its 150th Anniversary, celebrating its legacy of graduating more than 80,000 high school students in the City and County of San Francisco and in celebrating the Grand Opening of the Daughters of Charity Foundation, Sister Teresa Piro, DC, Student Life Center.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031613 **[Commending Japanese Community Youth Council]**
Supervisors Newsom, Dufty, Ma

Resolution commending the Mayor's YouthWorks Program and the Mayor's Education and Employment Program on having been selected as recipients of the prestigious PEPNET Award and commending the Japanese Community Youth Council for serving as the lead agency of these two youth employment programs.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031614 **[Commending Starting Points Initiative]**
Supervisors Newsom, Dufty, Ma

Resolution commending Starting Points for the completion of its San Francisco Citywide Strategic Plan for Supporting Families and its recent formation of a Family Support Council.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031615 **[Establishing City Planning Audit Select Committee]**
Supervisor Daly

Motion creating a City Planning Audit Select Committee.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031616 **[Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]**
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031617 **[Senate Bill 774]**
Supervisor Daly

Resolution urging Governor Gray Davis to sign Senate Bill 774, Pharmacy Syringe Sale and Disease Prevention Act.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031618 **[Commend Anne Stanton]**
Supervisors Daly, Dufty, Newsom

Resolution commending Anne Stanton for her decade of work and leadership for homeless youth in San Francisco as the esteemed Executive Director of the Larkin Street Youth Services.
9/23/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031619 **[Commendation for Linnea Klee]**
Supervisors Daly, Dufty, Newsom

Resolution commending Linnea Klee for her ten years of service as Executive Director of the Children's Council of San Francisco.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031620 **[Halloween in the Castro - Extended BART Service]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution urging the Bay Area Rapid Transit District to provide late night BART Service for the "Halloween in the Castro" event. Service would be extended from Midnight on October 31st until 2 a.m. on November 1st, 2003.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031621 **[Selective purchasing of oil from companies purchase leases or develop oil fields in the Arctic National Wildlife Refuge]**
Supervisors Gonzalez, Peskin, Daly, Newsom

Resolution urging the City of San Francisco to refrain from purchasing oil from companies that purchase leases or develop oil fields in the Arctic National Wildlife Refuge.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031622 **[Commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their work on the John Tennison case]**
Supervisors Gonzalez, Peskin, Daly

Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

31624 **[Commending Jack Moerschbaecher]**
Supervisors Maxwell, Daly, Dufty, Ma, Peskin, Hall, Newsom

Resolution commending Jack Moerschbaecher, Director of the San Francisco Convention Facilities, for 20 years of outstanding service to the City and County of San Francisco and for receiving the 2003 Unsung Hero/Heroine Award from the Yerba Buena Alliance.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031635 **[Healthy Kids Program Expansion]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

031604 **[Status of PUC Revenue Bond Oversight Committee]**
Supervisors Hall, Dufty

Hearing regarding status of November 2002 Proposition P - PUC Revenue Bond Oversight Committee.
9/23/03, RECEIVED AND ASSIGNED to Rules Committee.

031605 **[Aggressive Panhandling]**
Supervisor Gonzalez

Hearing on the legality of Section 120-1 of the Municipal Police Code, prohibiting aggressive panhandling.
9/23/03, RECEIVED AND ASSIGNED to Rules Committee.

031606 **[Passthrough Procedure for Utility Cost Increases]**
Supervisor Peskin

Hearing to review passthrough procedure for utility cost increases. The hearing will cover the methodologies available in the Rules and Regulations for calculating passthroughs, including how to ensure landlord costs and incomes are properly accounted for in a passthrough so that landlords are not unfairly compensated and that tenants are charged only for those true costs associated with tenant usage.
9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

Charter Amendments

031560 **[Charter Amendment - appointment of a City Engineer responsible for the design and construction management of all public buildings and public works]**
Supervisor Ammiano

Charter amendment (First Draft) to amend Section 4.130 to provide for appointment of a City Engineer responsible for the design and construction management of all public buildings and public works.

9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

9/23/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

9/23/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2003.

031567 **[Charter Amendment - San Francisco Department of Public Health]**
Supervisors Daly, Gonzalez

Charter amendment (First Draft) to repeal Section 4.110 regarding the Health Commission and adding Article VIIIC, to provide additional increase the autonomy and fiscal authority to of the Health Commission and require greater change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, streamline administrative operations and reduce contracting bureaucracy, ensure the continued operation of County hospitals and,clinics, and programs for the chronically ill, designate universal healthcare as one of the Department's top advocacy priorityies, establish a baseline funding level for the Department of Public Health and for programs helping San Franciscans with chronic illnesses, guarantee the operation of county hospitals and clinics, establish create enhanced coordination levels for of trauma care, guarantee culturally competent care through community-based primary care clinics, require maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

9/23/03, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title.

9/23/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2003.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

031526 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

9/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

31527 **[Accept-Expend Regional Grant]**
Resolution authorizing the Director of Transportation or his designee to accept and expend $157,000 in FY 03/04 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes and purchase and install bicycle racks and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)
9/12/03, RECEIVED AND ASSIGNED to Land Use Committee.

031528 **[Street Artist Hyde Street Spaces]**
Resolution re-designating seven (7) permanent selling spaces on Hyde Street, west side, Beach to Jefferson Streets; deleting seven (7) permanent selling spaces on Hyde Street, east side, Beach to Jefferson Streets; re-designating fourteen (14) selling spaces on Hyde Street, east side, Beach to Jefferson Streets; designating two (2) additional selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said seven spaces on Hyde Street, west side, Beach to Jefferson Streets, from Police Code Section 2405(c)(16) requiring street artists to maintain a minimum of eight feet of passageway for pedestrians. (Arts Commission)

(No Public Benefit Recipient.)
9/10/03, RECEIVED AND ASSIGNED to Land Use Committee.

031530 **[Grant to improve traffic and pedestrian safety in San Francisco]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $439,455 from the California Business, Transportation & Housing Agency Office of Traffic Safety (CBTHAOTS) to prevent DUI and resultant traffic injuries and to enter into an agreement for the use of these funds; for the period of October 1, 2003 to December 31, 2005. (Public Health Department)

(No Public Benefit Recipient.)
9/9/03, RECEIVED AND ASSIGNED to City Services Committee.

031538 **[Contracting out Airport Employee Parking Services]**
Resolution approving the Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Public Benefit Recipient.)
9/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031539 **[Contracting out Airport Public Parking Management Services]**
Resolution approving the Controller's certification that Airport Public Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Public Benefit Recipient.)
9/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft a charter amendment that would allow non-citizens to vote in San Francisco municipal school board elections where it can be demonstrated that the individuals are guardians of San Francisco municipal school board students.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft an ordinance increasing the real estate tax transfer tax to be increased to 1.5% for properties valued over $2 million. The ordinance should designate the distribution of revenue so that one-third is set aside for land acquisition designated for the construction of low/affordable housing and the preservation of cultural spaces and the remaining two-thirds is placed in the General Fund and dispersed with priorities given to use for schools and public health.

From: Supervisor Gonzalez
To: Department of Elections
Requesting/Inquiring: To develop a registration mechanism for eligible non-citizens who wish to vote in San Francisco municipal school board elections.

From: Supervisor Peskin
To: All Department
Requesting/Inquiring: Inquiring about beverage and snack vending usage and preferences for all departments in the City and County of San Francisco. Please read the attached letter.

In Memoriams

Robert Lawrence McRoskey (Supervisors Dufty, Sandoval)
LeRoy Hersh (Supervisor Dufty)
Linda K. Bartholomew (Supervisors Dufty, Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 5:08 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 21, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, September 30, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:12 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Dufty, moved to approve August 26, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the City Services Committee

031382 **[Provide assertive case management to people with HIV and substance abuse and mental disorders] Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $490,947 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2003, to May 30, 2004. (Public Health Department)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 614-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

31444 **[Contract funds for SFHIV Vaccine Clinical Trials Unit, 2003 to 2004]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $405,101 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fourth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); for the period of June 1, 2003 to May 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 624-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031453 **[FY 2003-2004 State grant funds to the Department of Public Health from the California Department of Health Services]**
Supervisors Dufty, Daly

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2003-2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 625-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031454 **[Treatment of Latent Tuberculosis Infection in refugees newly arriving in San Francisco.]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $45,000, from the State Department of Health Services, Refugee Health (DHS, RH) to improve treatment of Latent Tuberculosis Infection (LTBI) in refugees newly arriving in San Francisco; for the period of August 1, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 626-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031493 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $211,975 from the Federal Emergency Management Agency (FEMA) to acquire 208 one-hour Self-Contained Breathing Apparatus (SCBA) Air Bottles, a mobile breathing air compressor unit, and a portable auxiliary communication repeater unit. (Fire Department)

(No Public Benefit Recipient.)

Resolution No. 652-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

031317 **[MOU - Police Officers' Association (SFPOA)]**
Mayor, Supervisor Dufty

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.

(Fiscal impact.)

Ordinance No. 236-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031383 **[Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 232-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031388 **[Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 233-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

31393 **[Setting S.F. Community College District's fiscal year 2003-2004 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 234-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031396 **[Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]**

Supervisors Daly, Sandoval

Ordinance appropriating $500,000 from the General Fund Reserve and rescinding $700,000 in parking revenues and $200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

Ordinance No. 241-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031400 **[MOU Amendment No 1 - International Brotherhood of Electrical Workers, Local 6]**

Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by adding paragraph 149a, which provides for a premium to certain classes providing signal operations at the Department of Parking and Traffic, which was inadvertently omitted from the MOU, to be effective July 1, 2003 through June 30, 2005.

Ordinance No. 239-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031425 **[Appropriate funding for the Art Commission for municipal symphony concerts using property tax revenue]**

Ordinance appropriating $23,273 for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2003-04. (Controller)

Ordinance No. 235-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031253 **[Contracting out Convention Facilities management, operation and maintenance services]**
Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

Resolution No. 646-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031307 **[Extending provisional appointments]**
Resolution approving extension to June 30, 2004 of provisional appointments of employees in classifications 1270 Departmental Personnel Officer, 1272 Senior Departmental Personnel Officer, 1458 Legal Secretary I, 1460 Legal Secretary II, 1820 Junior Administrative Analyst, and 1932 Assistant Storekeeper. (Human Resources Department)

(No Public Benefit Recipient.)

Resolution No. 647-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Land Use Committee

031439 **[Speed Limit - Potrero Avenue between Brannan and Cesar Chavez Streets]**
Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 243-03
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031504 **[Accept - Expend Federal Grant]**
Supervisor Peskin

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $3,475,000 from the United States Transportation Security Administration for the purpose of enhancing facility and operational security at the Port's cruise, ferry and cargo terminals.

(No Public Benefit Recipient.)

Resolution No. 653-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Rules Committee

031432 **[Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]**

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufacturers, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay $70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

Ordinance No. 242-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031511 **[Settlement of Claim - Eric M. Hansen]**

Resolution approving the settlement of the unlitigated claim filed by Eric M. Hansen against San Francisco for $52,500; claim was filed on October 8, 2002. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 654-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031531 **[Appointment]**

Resolution appointing Renu Nanda, term ending December 31, 2005 to the Child Care Planning and Advisory Council. Residency requirement waived.

Renu Nanda, (residency requirement waived) succeeding Marie Lee, resigned, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a 3 year term ending December 31, 2005.

Resolution No. 656-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031515 **[Settlement of Lawsuit - Jonathan Johnson]**

Ordinance authorizing settlement of the lawsuit filed by Jonathan Johnson against the City and County of San Francisco for $150,000; the lawsuit was filed on June 11, 2001 in San Francisco Superior Court, Case No. 322-080; entitled Jonathan Johnson, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the waiver of the San Francisco General Hospital medical lien in the amount of $29,281.37. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031532 **[Appointment]**

Resolution appointing William Henning, term ending November 19, 2004 to the Bicycle Advisory Committee.

William Henning, new position, seat 7, must be a nominee of District 7 Supervisor; for the unexpired portion of a two-year term ending November 19, 2004.

Resolution No. 657-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Severed From Consent Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

031447 **[Accept-Expend State Grant]**

Supervisors Dufty, Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the California Integrated Waste Management Board for a project that will incorporate recycled tire rubber surfaces in the Golden Gate Concourse Underground Parking Facility. (Environment)

(Public Benefit Recipient.)

Supervisor Peskin, seconded by Supervisor Dufty, moved to amend on page 2 after "Further Resolved" by adding "That subject to the approval of Golden Gate Concourse Underground Parking Facility by the Board of Supervisors"

Supervisor Daly requested to be added as a co-sponsor.

AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 648-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

031599 **[Adopting findings related to the tentative subdivision map appeal on property located at 600 Portola Drive]**

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative map to authorize the construction of an eighteen unit new condominium mixed-use project at 600 Portola Drive (Lot 1 in Assessor's Block 2892). (Clerk of the Board)

(Companion measure to Files 031364, 031365, 031366, 031367.)

Motion No. M03-177

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031625 **[Adopting findings related to the conditional use appeal on property located at 2026 Lombard Street]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0497C (which allowed the construction of an approximately 49,000 square foot, 97 room tourist hotel with 78 off-street parking spaces on a lot containing approximately 13,600 square feet), pursuant to Planning Code Section 712.11, 712.21, 712.55 and 303, in an NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2026 Lombard Street, north side, between Fillmore and Webster Street (Lot 025 in Assessor's Block 0492). (Clerk of the Board)

(Companion measure to Files 031232, 031233, 031234, 031235, 031236.)

Supervisor Newsom was previously excused from voting.

Motion No. M03-179

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Newsom

031626 **[Adopting findings related to the conditional use appeal on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0430C (which approved the installation of six panel antennas and related equipment on an approximately 53-foot tall commercial building as part of the AT&T Wireless Services telecommunications network within an NC-3 (Moderate-Scale Neighborhood Commercial Zoning) District and a 40-X Height and Bulk District), pursuant to Section 712.83 of the Planning Code, on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard), on the northwest corner of 9th Avenue and Geary Boulevard (Lot 035 in Assessor's Block 1441). (Clerk of the Board)

Motion No. M03-180

APPROVED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

031333 **[Making Environmental Findings and Increasing Street Artist Certificate Fee]**

Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

Ordinance No. 240-03

NOT FINALLY PASSED by the following vote:
Ayes: 4 - Hall, Newsom, Peskin, Sandoval
Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick
Absent: 1 - Ammiano

Supervisor Mc Goldrick moved to rescind the previous vote.
Motion carried without objection.

Ordinance No. 240-03

FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 4 - Daly, Dufty, Gonzalez, Ma

031395 **[Funding from the General Reserve and re-appropriate salaries to fund the October 2003 Recall Election]**

Mayor

Ordinance appropriating $3,232,983 from the General Fund Reserve and re-appropriating $150,000 of permanent salaries for a total of $3,382,983 for temporary salaries, overtime, fringe benefits, non personal services, materials and supplies, and services of other departments associated with the October 2003 recall election for Elections Department for fiscal year 2003-2004.

Supervisor Ammiano noted present at 2:12 p.m.

Ordinance No. 238-03

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Ma

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031489 **[Emergency Repairs]**
Resolution authorizing, retroactively, the expenditure of funds for emergency repairs of the Early Intake Switchback Road at Hetch Hetchy, at an estimated cost of $2,000,000. (Public Utilities Commission)

Supervisor McGoldrick dissenting in Committee.
(No Public Benefit Recipient.)

Resolution No. 651-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Dufty assumed the Chair so the President could participate in the debate from the floor concerning the following item.

031525 **[Agreement for Tolling of Statute of Limitations Governing Lawsuit]**
Resolution approving the City Attorney's entry into a tolling agreement governing suit by plaintiff Natasha Madaris entitled Natasha Madaris v. San Francisco Unified School District and City and County of San Francisco, Case No. 417-848. (City Attorney)

Resolution No. 655-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the City Services Committee

030808 **[Motorcycle Sidewalk Parking Policy]**
Supervisors Gonzalez, Dufty, Daly

Resolution urging the Department of Parking and Traffic to prioritize the accommodation of scooters and motorcycles in the Department's planning and enforcement policies, to consistently ticket cars parked on sidewalks, and to create adequate motorcycle parking.

Supervisor Daly, seconded by Supervisor Sandoval, moved an amendment of the whole and further amended.

Supervisor Daly requested to be added as a co-sponsor.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 669-03
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031401 **[Improving coordination between the San Francisco Police Department and the Office of Citizen Complaints]**
Supervisors Gonzalez, Dufty, Daly

Ordinance amending the Administrative Code by adding a new Chapter 96, establishing requirements governing the authority and duties of the Police Department, the Office of Citizen Complaints and the Police Commission with respect to investigations by the Office of Citizen Complaints, including reporting on the status of sustained cases, minimum requirements for disclosure of documents by the Police Department, providing the Office of Citizen Complaints with subpoena power against third parties, imposing training requirements for police officers on whistleblower protection laws, and for police commissioners on public safety officer discipline, and adding uncodified provisions to require the Police Commission to consider revisions to the Early Warning System and study restricting promotions for officers disciplined for misconduct; require the Police Department and the Office of Citizen Complaints to meet and report on the development of a shared case tracking system; and require current police commissioners to receive training on public safety officer discipline.

No Public Benefit Recipient

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

031406 **[Building Code - Technical Corrections/Clarifications]**
Supervisor Daly

Ordinance amending the Building Code to effect technical corrections/clarifications to Section 3102.8, by adding provisions previously included in the Code regarding woodburning appliances, Section 101.20, by adding provisions previously included in the Code regarding the operation of the Central Permit Bureau, Section 106.1, by deleting provisions regarding permit requirements that were previously removed from the Code, Section 106.3.2, by adding provisions previously included in the Code regarding submittal documents for permit applications, Section 103.3.1, 103.3.2, 103.3.3, 103.3.4, and 103.3.5 by deleting provisions regarding unlawful residential demolition and adding the provisions regarding unlawful residential demolition that were previously included in the Code, Section 205 by deleting the definition of demolition, by amending Figure 16B-1, Sections 105.4.2, 105.4.3.1, 107.1.1, 108.5.6, 1003.3.3.2, 1001A, 1304.A.1, 1307A.2, 1311A.1, 1313A.3, 1314A.2, 1316A.1, 1308A.3, 1605.4.3, 1604B.2.3, 1605B.3, 1605B.8, 1606B, 1604C, 1608C.5, 1611C.3.1, 1611C.4.2, 1611C.6.1, 1611C.6.2, 1611C.2.2.2, Table 16C-D, 1701.5, 3403.2.1.2, 3407.1, 3407.2.3, 3407.4.3, 3407.5.3.4, 3407.5.3.5, 3408.3.2, 1605.4.3, 1605.5, 106.4.4, 409.9.1, 1602C.6.1, 1602C.6.2, 3303.9.2, 3403.2.1.1, and 1605.4.1 to correct typographical errors, and making findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

31490 **[Angle Parking]**
Supervisor Daly

Ordinance amending San Francisco Traffic Code Sections 55 and 132 to prohibit any person from parking or standing a vehicle other than at the angle of the curb or edge of roadway indicated by signs or markings, and to provide for penalties. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Newsom welcomed, introduced and presented Certificates of Honor to members of the SFPD who have received Medals of Honor.

COMMITTEE REPORTS

031556 **[Investigate the closure of Real Food Co. on 24th Street in Noe Valley]**
Supervisors Dufty, Ma, Hall

Resolution requesting NLRB and DBI and other appropriate agencies to investigate the closure of Real Food Co. on 24th Street in Noe Valley.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 658-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; homeless issues
Melanie Kramer; SFPD issues regarding a chicken
James Chaffee; Library issues
Vernon Jenkins; general issues
Brian Murphy Flynn; owner of 701Lombard Street opposed to Eminent Domain
Mathew Sheridan; opposed to 701 Lombard Street Eminent Domain
Kay Murphy Flynn; opposed to 701 Lombard Street Eminent Domain
John Dadonna; general issues
Sal Lucinatti; opposed to 701 Lombard Street Eminent Domain
Patricia Franklin, opposed to 701 Lombard Street Eminent Domain
Keith Wilson; opposed to 701 Lombard Street Eminent Domain
Marsha Crossman; opposed to 701 Lombard Street Eminent Domain
Lynn Jefferson; opposed to 701 Lombard Street Eminent Domain
Marsha Gardner, North Beach Chamber of Commerce; opposed to 701 Lombard Street Eminent Domain
James Luke, resident of North Beach; opposed to 701 Lombard Street Eminent Domain
Erin; drop charges regarding Queer Rights Activists
Female speaker; drop charges regarding Queer Rights Activists
Female Speaker; drop charges regarding Queer Rights Activists
Rocky Palli; opposed to 701 Lombard Street Eminent Domain
Bob Castle; rights for American Service men and women
Dennis Hodges; opposed to 701 Lombard Street Eminent Domain
Phil Mamooth; opposed to 701 Lombard Street Eminent Domain
Annette O'Neill; opposed to 701 Lombard Street Eminent Domain
Owner of 701 Lombard Street, withdrew appeal of CEQA Environmental Exemption
Larry Evan; general issues, medical marijuana

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031612 **[Commending Sacred Heart Cathedral Preparatory new Student Life Center]**
Supervisors Newsom, Hall

Resolution commending the Sacred Heart Cathedral Preparatory School on its 150th Anniversary, celebrating its legacy of graduating more than 80,000 high school students in the City and County of San Francisco and in celebrating the Grand Opening of the Daughters of Charity Foundation, Sister Teresa Piro, DC, Student Life Center.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 659-03
ADOPTED

031613 **[Commending Japanese Community Youth Council]**
Supervisors Newsom, Dufty, Ma

Resolution commending the Mayor's YouthWorks Program and the Mayor's Education and Employment Program on having been selected as recipients of the prestigious PEPNET Award and commending the Japanese Community Youth Council for serving as the lead agency of these two youth employment programs.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 660-03
ADOPTED

031614 **[Commending Starting Points Initiative]**
Supervisors Newsom, Dufty, Ma

Resolution commending Starting Points for the completion of its San Francisco Citywide Strategic Plan for Supporting Families and its recent formation of a Family Support Council.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 661-03
ADOPTED

031615 **[Establishing City Planning Audit Select Committee]**
Supervisor Daly

Motion creating a City Planning Audit Select Committee.

Motion No. M03-178
APPROVED

031617 [Senate Bill 774]
Supervisor Daly

Resolution urging Governor Gray Davis to sign Senate Bill 774, Pharmacy Syringe Sale and Disease Prevention Act.

Resolution No. 662-03
ADOPTED

031618 [Commend Anne Stanton]
Supervisors Daly, Dufty, Newsom

Resolution commending Anne Stanton for her decade of work and leadership for homeless youth in San Francisco as the esteemed Executive Director of the Larkin Street Youth Services.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 663-03
ADOPTED

031619 [Commendation for Linnea Klee]
Supervisors Daly, Dufty, Newsom

Resolution commending Linnea Klee for her ten years of service as Executive Director of the Children's Council of San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 664-03
ADOPTED

031620 [Halloween in the Castro - Extended BART Service]
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution urging the Bay Area Rapid Transit District to provide late night BART Service for the "Halloween in the Castro" event. Service would be extended from Midnight on October 31st until 2 a.m. on November 1st, 2003.

Resolution No. 665-03
ADOPTED

031621 [Selective purchasing of oil from companies purchase leases or develop oil fields in the Arctic National Wildlife Refuge]
Supervisors Gonzalez, Peskin, Daly, Newsom

Resolution urging the City of San Francisco to refrain from purchasing oil from companies that purchase leases or develop oil fields in the Arctic National Wildlife Refuge.

Supervisors Peskin, Daly and Newsom requested to be added as co-sponsors.

Resolution No. 666-03
ADOPTED

031622 **[Commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their work on the John Tennison case]**
Supervisors Gonzalez, Peskin, Daly

Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.

Supervisors Peskin and Daly requested to be added as a co-sponsors.

Resolution No. 667-03
ADOPTED

031624 **[Commending Jack Moerschbaecher]**
Supervisors Maxwell, Daly, Dufty, Ma, Peskin, Hall, Newsom

Resolution commending Jack Moerschbaecher, Director of the San Francisco Convention Facilities, for 20 years of outstanding service to the City and County of San Francisco and for receiving the 2003 Unsung Hero/Heroine Award from the Yerba Buena Alliance.

Supervisors Peskin, Hall and Newsom requested to be added as co-sponsors.

Resolution No. 668-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Ammiano, Ma

Severed from Without Reference to Committee Agenda

Supervisor Maxwell requested that this matter be severed so that it could be considered separately.

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

REFERRED to the Finance and Audits Committee.

Supervisor Hall requested that this matter be severed so that it could be considered separately.

031616 **[Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]**
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.

REFERRED to the Rules Committee.

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

031635 **[Healthy Kids Program Expansion]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.

REFERRED to the Finance and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

31652 **[Requiring for all public work involving asphalt that asphalt be purchased from the City asphalt plant]**
Supervisor Peskin

Ordinance adopting new Subsection 6.22(Q) of Administrative Code Chapter 6, Article I, requiring that for all public work involving asphalt that public work contractors purchase the asphalt from the City asphalt plant.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031655 **[Post-Employment Restrictions for Former City Employees]**
Supervisor Newsom

Draft ordinance adding Chapter 8, Activities of Former Officers and Employees, to Article III of the Campaign and Governmental Conduct Code; moving Section 3.545 of the Campaign and Governmental Conduct Code to Section 3.800; and adding prohibitions to prevent former City employees, for a period of two years, from communicating on behalf of any other person or entity, other than the City and County of San Francisco, with an elected public official who was the former employee's appointing authority or City employees who are current appointees of that appointing authority.
9/30/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/30/2003.

031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisor Newsom

Draft ordinance amending Article II, Chapter I, Section 2.100, adding Section 2.117 to Article II, Chapter I. and adding Section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.
9/30/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/30/2003.

031657 **[Appropriate funding for the construction of Octavia Boulevard]**
Supervisor Dufty

Ordinance appropriating $12,903,999 from the land sales to the San Francisco Redevelopment Agency and $1,106,631 in lease revenues from the Central Freeway land parcels for a total of $14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031658 **[Appropriate State and Federal funding for the CalWORKs, Medi-Cal, IHSS and Foster Care programs]**
Mayor

Ordinance appropriating $2,399,795 of CalWORKs, Medi-Cal, IHSS and Foster Care funding to fill 28.67 vacant FTEs including deletion of 9.38 FTEs and creation of 9.38 FTEs, purchase one-time materials and supplies, and provide stipends to emancipated foster youth for the Department of Human Services and Amending Annual Salary Ordinance for Fiscal Year 2003-04. (Mayor)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031659 **[Public Employment]**
Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2003/04) reflecting the abolishment of 14 positions (9.38 FTEs) and the creation of 14 positions (9.38 FTEs) at the Department of Human Services. (Human Resources Department)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

031651 **[Creation of Motorcycle Parking]**
Supervisors Gonzalez, Dufty

Resolution urging the Department of Parking and Traffic (DPT) to create 3,759 motorcycle parking spaces and implement a trial bicycle and motorcycle traffic calming parking space within a 120 day time period.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031660 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Traffic Safety for a project entitled California Seat Belt Compliance Campaign (CSBCC). (Mayor)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031673 **[Urging Governor Davis to sign Senate Bill 2]**
Supervisor Sandoval

Resolution urging Governor Davis to sign Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031674 **[2003 Domestic Violence Awareness Month]**
Supervisors Newsom, Dufty, Peskin, Ma

Resolution ratifying that the Board of Supervisors declares the month of October 2003 as "Domestic Violence Awareness Month" in the City and County of San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031675 **[Urging 108th Congress to Tie National School Lunch Program Eligibility to Regional Indicators and To Increase California's Reimbursement Rate]**
Supervisor Maxwell

Resolution urging 108th U.S. Congress to link National School Lunch Eligibility Criteria to Regional Poverty Indicators and to increase the Program's Reimbursement Rate.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031677 **[Commendation of the San Francisco Asian Peace Officers' Association]**
Supervisors Ma, Dufty, Peskin, Newsom

Resolution commending the San Francisco Asian Peace Officers' Association for their dedication and commitment to the community.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031678 **[Commemorating the 50th Anniversary of the Korean War]**
Supervisors Ma, Peskin, Newsom

Resolution commemorating the 50th anniversary of the Korean War.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031679 **[Commendation of National Day of the People's Republic of China]**
Supervisors Ma, Dufty

Resolution recognizing the contributions of the Chinese community to commerce, culture and diversity and declaring October 1, 2003 as the "54th National Day of the People's Republic of China" in the City and County of San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031680 **[Showers at Lowell High School]**
Supervisor Hall

Resolution urging the San Francisco Unified School District to consult with, and obtain the approval of, the Crestlake Property Owners Association, the Lakeshore Acres Improvement Club, the Lakeside Homes Association, the Lakeside Property Owner's Association, the Merced Manor Property Owner's Association, the West of Twin Peaks Central Council, and the District Seven Advisory Council before implementing a plan to allow homeless individuals to use shower facilities at Lowell High School.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031681 **[Commending Saint Thomas the Apostle Catholic Church]**
Supervisor McGoldrick

Resolution commending Saint Thomas the Apostle Catholic Church for its significant contribution to the community and proclaiming October 19, 2003 Saint Thomas the Apostle Catholic Church Day.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031682 **[Koshland Park--Gift-in-Place]**
Supervisors Gonzalez, Dufty, Peskin, Newsom

Resolution accepting a gift in place valued at approximately $200,000 from the Friends of Recreation and Parks, a non-profit organization, to the Recreation and Park Department of Koshland Park.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031683 **[Urging 108th U.S. Congress to pass the AgJobs Act of 2003]**
Supervisor Sandoval

Resolution urging 108th U.S Congress to pass the AgJobs Act of 2003 for seasonal immigrant farm workers.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031684 **[Commending the Committee for the Confucius Memorial Ceremony]**
Supervisors Ma, Peskin

Resolution commending the Committee for the Confucius Memorial Ceremony for their dedication to recognizing the teachings of Confucius.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Finance and Audits Committee.

031616 **[Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]**
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Rules Committee.

031635 **[Healthy Kids Program Expansion]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Finance and Audits Committee.

Requests for Hearings

031654 **[SFPD's Community Relations Efforts]**
Supervisor Maxwell

Hearing to address the San Francisco Police Department's community relations efforts.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031667 **[Committee of the Whole - Human Rights Commission Appointment]**
Supervisor Peskin

Hearing to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission.
10/1/03, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Board Sitting as a Committee of the Whole pending approval of File Numbers 031663, 031664, and 031665 on October 7, 2003 at 4:00 p.m.

031653 **[Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget]**
Supervisor Daly

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget prior to submittal to the Mayor.
9/30/03, RECEIVED AND ASSIGNED to Budget Committee.

Motions

031666 **[Committee of the Whole]**
Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission to be held on October 7, 2003 at 4:00 p.m. (File Numbers 031663, 031664, and 031665).
10/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031650 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031663 **[Appointment - Human Rights Commission]**
Motion approving the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031664 **[Appointment - Human Rights Commission]**
Motion rejecting the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031665 **[Appointment - Human Rights Commission]**
Motion taking no position concerning the Mayor's appointment of Vernon Grigg to the Human Rights Commission, for term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031676 **[Legislative Analyst Request]**
Supervisors Dufty, Ma, Ammiano, Gonzalez

Motion requesting the Legislative Analyst's Office to study the non-profit collective/cooperative medical cannabis cultivation and distribution model recently employed by the Wo/men's Alliance for Medical Marijuana (WAMM) in Santa Cruz, and to analyze the feasibility and ramifications of implementing such a model in San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Second Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)
8/12/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/11/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee. Referred to the Youth Commission on October 7, 2003.

031562 **[Charter Amendment - Retirement System benefits for domestic partners]**
Supervisors Ammiano, Dufty

Charter amendment (Second Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and adding Section A8.500-3 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

031600 **[Commercial Vehicle Parking in Certain Use District]**
Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)
9/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031598 **[First Amendment to Lease of SFPUC Property for Operation of a Public Golf Course and Related Facilities]**

Resolution authorizing a First Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., in San Mateo County. (Public Utilities Commission)

(Public Benefit Recipient.)

9/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031601 **[Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year 2002-2003 and thereafter]**

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year ending June 30, 2003 and thereafter. (Controller)

(No Public Benefit Recipient.)

9/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the October 1, 2003 meeting.

031602 **[Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Supervisor Newsom

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2003-2004. (Public Health Department)

(Public Benefit Recipient.)

9/16/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to register more voters based on New York City's Pro-Vote law.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to prohibit campaign consultants from lobbying the Board of Supervisors, the Mayor or City departments and commissions.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to cede a budget and general guidelines to the Local Homeless Coordinating Board. This group, not elected officials, could decide on shelters, drug treatment, hotel beds, welfare rules and sanctions.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to preserve neighborhood scale by creating a district-wide environmental study of traffic and pollution related to housing done ahead of time of wider area. Neighborhood groups would have a voice at the front end when general building limits are hammered out. But once the rules and limits are set, the potential for delays, uncertainty and rising costs would be ended.

From: Supervisor Daly
To: Director, Treasure Island Development Authority
To: General Manager, Recreation and Park Department
Requesting/Inquiring: For the Director of Treasure Island and the General Manager of Recreation and Park to work together to advise on lessons learned from Treasure Island's Little League field and the steps needed to develop more fields.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance requiring signs for reporting offenders and to require warnings go out with garbage bills.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to increase the number of small local businesses that contract with the city as a way of promoting development and sustaining long-term investment. San Francisco currently has more than 60,000 small businesses but fewer than 20 percent of them have primary city contracts with the city.

From: Supervisor Daly
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To respond to comments from the San Francisco Chronicle related to traffic enforcement. (See Attached.)

From: Supervisor Hall
To: Director, Planning Department
Requesting/Inquiring: What steps or suggestions does the Department have for notifying all of San Francisco's homeowners about public meetings dealing with the Housing Element and the pending secondary unit legislation? Is it feasible for the Planning Department to send notice to all recipients of water bills or property tax bills?

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an opinion explaining whether or not homeowner association CC&R's "trump" provisions of the proposed Housing Element and the pending ordinance on secondary units.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft an ordinance that would address requirements for siting combustion turbines in the City, taking into consideration both the City process and commitments the City could make to address the concerns of the community, including the process for developing mitigation.

In Memoriams

Mort Bass (Supervisor Daly)
Arnette Watson (Supervisor Daly)
R. Jeffrey Hayward (Supervisor Dufty)
Edward Said (Supervisor Gonzalez)
Phyllis Porter (Supervisor Hall)
Richard Parrino (Supervisor Hall)
Ru-Jin Li (Supervisor Ma)
Sheila Hill-Fajors (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:56 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 21, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

SF
590
#72
9/30/03

Tuesday, September 30, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:12 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Dufty, moved to approve August 26, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the City Services Committee

031382 **[Provide assertive case management to people with HIV and substance abuse and mental disorders] Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $490,947 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2003, to May 30, 2004. (Public Health Department)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 614-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031444 **[Contract funds for SFHIV Vaccine Clinical Trials Unit, 2003 to 2004]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $405,101 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fourth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); for the period of June 1, 2003 to May 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 624-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031453 **[FY 2003-2004 State grant funds to the Department of Public Health from the California Department of Health Services]**
Supervisors Dufty, Daly

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2003-2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 625-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031454 **[Treatment of Latent Tuberculosis Infection in refugees newly arriving in San Francisco.]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $45,000, from the State Department of Health Services, Refugee Health (DHS, RH) to improve treatment of Latent Tuberculosis Infection (LTBI) in refugees newly arriving in San Francisco; for the period of August 1, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 626-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031493 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $211,975 from the Federal Emergency Management Agency (FEMA) to acquire 208 one-hour Self-Contained Breathing Apparatus (SCBA) Air Bottles, a mobile breathing air compressor unit, and a portable auxiliary communication repeater unit. (Fire Department)

(No Public Benefit Recipient.)

Resolution No. 652-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

031317 **[MOU - Police Officers' Association (SFPOA)]**
Mayor, Supervisor Dufty

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.

(Fiscal impact.)

Ordinance No. 236-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031383 **[Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 232-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031388 **[Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 233-03

FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031393 **[Setting S.F. Community College District's fiscal year 2003-2004 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 234-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031396 **[Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]**

Supervisors Daly, Sandoval

Ordinance appropriating $500,000 from the General Fund Reserve and rescinding $700,000 in parking revenues and $200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

Ordinance No. 241-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031400 **[MOU Amendment No 1 - International Brotherhood of Electrical Workers, Local 6]**

Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by adding paragraph 149a, which provides for a premium to certain classes providing signal operations at the Department of Parking and Traffic, which was inadvertently omitted from the MOU, to be effective July 1, 2003 through June 30, 2005.

Ordinance No. 239-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031425 **[Appropriate funding for the Art Commission for municipal symphony concerts using property tax revenue]**

Ordinance appropriating $23,273 for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2003-04. (Controller)

Ordinance No. 235-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031253 **[Contracting out Convention Facilities management, operation and maintenance services]**

Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

Resolution No. 646-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031307 **[Extending provisional appointments]**

Resolution approving extension to June 30, 2004 of provisional appointments of employees in classifications 1270 Departmental Personnel Officer, 1272 Senior Departmental Personnel Officer, 1458 Legal Secretary I, 1460 Legal Secretary II, 1820 Junior Administrative Analyst, and 1932 Assistant Storekeeper. (Human Resources Department)

(No Public Benefit Recipient.)

Resolution No. 647-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Land Use Committee

031439 **[Speed Limit - Potrero Avenue between Brannan and Cesar Chavez Streets]**

Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 243-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031504 **[Accept - Expend Federal Grant]**
Supervisor Peskin

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $3,475,000 from the United States Transportation Security Administration for the purpose of enhancing facility and operational security at the Port's cruise, ferry and cargo terminals.

(No Public Benefit Recipient.)

Resolution No. 653-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Rules Committee

031432 **[Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]**

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufacturers, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay $70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

Ordinance No. 242-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031511 **[Settlement of Claim - Eric M. Hansen]**

Resolution approving the settlement of the unlitigated claim filed by Eric M. Hansen against San Francisco for $52,500; claim was filed on October 8, 2002. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 654-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031531 **[Appointment]**

Resolution appointing Renu Nanda, term ending December 31, 2005 to the Child Care Planning and Advisory Council. Residency requirement waived.

Renu Nanda, (residency requirement waived) succeeding Marie Lee, resigned, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a 3 year term ending December 31, 2005.

Resolution No. 656-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031515 **[Settlement of Lawsuit - Jonathan Johnson]**

Ordinance authorizing settlement of the lawsuit filed by Jonathan Johnson against the City and County of San Francisco for $150,000; the lawsuit was filed on June 11, 2001 in San Francisco Superior Court, Case No. 322-080; entitled Jonathan Johnson, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the waiver of the San Francisco General Hospital medical lien in the amount of $29,281.37. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031532 **[Appointment]**

Resolution appointing William Henning, term ending November 19, 2004 to the Bicycle Advisory Committee.

William Henning, new position, seat 7, must be a nominee of District 7 Supervisor; for the unexpired portion of a two-year term ending November 19, 2004.

Resolution No. 657-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Severed From Consent Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

031447 **[Accept-Expend State Grant]**

Supervisors Dufty, Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the California Integrated Waste Management Board for a project that will incorporate recycled tire rubber surfaces in the Golden Gate Concourse Underground Parking Facility. (Environment)

(Public Benefit Recipient.)

Supervisor Peskin, seconded by Supervisor Dufty, moved to amend on page 2 after "Further Resolved" by adding "That subject to the approval of Golden Gate Concourse Underground Parking Facility by the Board of Supervisors"

Supervisor Daly requested to be added as a co-sponsor.

AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 648-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

031599 **[Adopting findings related to the tentative subdivision map appeal on property located at 600 Portola Drive]**

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative map to authorize the construction of an eighteen unit new condominium mixed-use project at 600 Portola Drive (Lot 1 in Assessor's Block 2892). (Clerk of the Board)

(Companion measure to Files 031364, 031365, 031366, 031367.)

Motion No. M03-177

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031625 **[Adopting findings related to the conditional use appeal on property located at 2026 Lombard Street]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0497C (which allowed the construction of an approximately 49,000 square foot, 97 room tourist hotel with 78 off-street parking spaces on a lot containing approximately 13,600 square feet), pursuant to Planning Code Section 712.11, 712.21, 712.55 and 303, in an NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2026 Lombard Street, north side, between Fillmore and Webster Street (Lot 025 in Assessor's Block 0492). (Clerk of the Board)

(Companion measure to Files 031232, 031233, 031234, 031235, 031236.)

Supervisor Newsom was previously excused from voting.

Motion No. M03-179

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Newsom

031626 **[Adopting findings related to the conditional use appeal on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0430C (which approved the installation of six panel antennas and related equipment on an approximately 53-foot tall commercial building as part of the AT&T Wireless Services telecommunications network within an NC-3 (Moderate-Scale Neighborhood Commercial Zoning) District and a 40-X Height and Bulk District), pursuant to Section 712.83 of the Planning Code, on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard), on the northwest corner of 9th Avenue and Geary Boulevard (Lot 035 in Assessor's Block 1441). (Clerk of the Board)

Motion No. M03-180

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

031333 **[Making Environmental Findings and Increasing Street Artist Certificate Fee]**

Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

Ordinance No. 240-03

NOT FINALLY PASSED by the following vote:

Ayes: 4 - Hall, Newsom, Peskin, Sandoval
Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick
Absent: 1 - Ammiano

Supervisor Mc Goldrick moved to rescind the previous vote.
Motion carried without objection.

Ordinance No. 240-03

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 4 - Daly, Dufty, Gonzalez, Ma

031395 **[Funding from the General Reserve and re-appropriate salaries to fund the October 2003 Recall Election]**

Mayor

Ordinance appropriating $3,232,983 from the General Fund Reserve and re-appropriating $150,000 of permanent salaries for a total of $3,382,983 for temporary salaries, overtime, fringe benefits, non personal services, materials and supplies, and services of other departments associated with the October 2003 recall election for Elections Department for fiscal year 2003-2004.

Supervisor Ammiano noted present at 2:12 p.m.

Ordinance No. 238-03

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Ma

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031489 **[Emergency Repairs]**
Resolution authorizing, retroactively, the expenditure of funds for emergency repairs of the Early Intake Switchback Road at Hetch Hetchy, at an estimated cost of $2,000,000. (Public Utilities Commission)

Supervisor McGoldrick dissenting in Committee.
(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 651-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Dufty assumed the Chair so the President could participate in the debate from the floor concerning the following item.

031525 **[Agreement for Tolling of Statute of Limitations Governing Lawsuit]**
Resolution approving the City Attorney's entry into a tolling agreement governing suit by plaintiff Natasha Madaris entitled Natasha Madaris v. San Francisco Unified School District and City and County of San Francisco, Case No. 417-848. (City Attorney)

Resolution No. 655-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the City Services Committee

030808 **[Motorcycle Sidewalk Parking Policy]**
Supervisors Gonzalez, Dufty, Daly

Resolution urging the Department of Parking and Traffic to prioritize the accommodation of scooters and motorcycles in the Department's planning and enforcement policies, to consistently ticket cars parked on sidewalks, and to create adequate motorcycle parking.

Supervisor Daly, seconded by Supervisor Sandoval, moved an amendment of the whole and further amended.

Supervisor Daly requested to be added as a co-sponsor.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 669-03
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031401 **[Improving coordination between the San Francisco Police Department and the Office of Citizen Complaints]**
Supervisors Gonzalez, Dufty, Daly

Ordinance amending the Administrative Code by adding a new Chapter 96, establishing requirements governing the authority and duties of the Police Department, the Office of Citizen Complaints and the Police Commission with respect to investigations by the Office of Citizen Complaints, including reporting on the status of sustained cases, minimum requirements for disclosure of documents by the Police Department, providing the Office of Citizen Complaints with subpoena power against third parties, imposing training requirements for police officers on whistleblower protection laws, and for police commissioners on public safety officer discipline, and adding uncodified provisions to require the Police Commission to consider revisions to the Early Warning System and study restricting promotions for officers disciplined for misconduct; require the Police Department and the Office of Citizen Complaints to meet and report on the development of a shared case tracking system; and require current police commissioners to receive training on public safety officer discipline.

No Public Benefit Recipient

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

031406 **[Building Code - Technical Corrections/Clarifications]**
Supervisor Daly

Ordinance amending the Building Code to effect technical corrections/clarifications to Section 3102.8, by adding provisions previously included in the Code regarding woodburning appliances, Section 101.20, by adding provisions previously included in the Code regarding the operation of the Central Permit Bureau, Section 106.1, by deleting provisions regarding permit requirements that were previously removed from the Code, Section 106.3.2, by adding provisions previously included in the Code regarding submittal documents for permit applications, Section 103.3.1, 103.3.2, 103.3.3, 103.3.4, and 103.3.5 by deleting provisions regarding unlawful residential demolition and adding the provisions regarding unlawful residential demolition that were previously included in the Code, Section 205 by deleting the definition of demolition, by amending Figure 16B-1, Sections 105.4.2, 105.4.3.1, 107.1.1, 108.5.6, 1003.3.3.2, 1001A, 1304.A.1, 1307A.2, 1311A.1, 1313A.3, 1314A.2, 1316A.1, 1308A.3, 1605.4.3, 1604B.2.3, 1605B.3, 1605B.8, 1606B, 1604C, 1608C.5, 1611C.3.1, 1611C.4.2, 1611C.6.1, 1611C.6.2, 1611C.2.2.2, Table 16C-D, 1701.5, 3403.2.1.2, 3407.1, 3407.2.3, 3407.4.3, 3407.5.3.4, 3407.5.3.5, 3408.3.2, 1605.4.3, 1605.5, 106.4.4, 409.9.1, 1602C.6.1, 1602C.6.2, 3303.9.2, 3403.2.1.1, and 1605.4.1 to correct typographical errors, and making findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031490 **[Angle Parking]**
Supervisor Daly

Ordinance amending San Francisco Traffic Code Sections 55 and 132 to prohibit any person from parking or standing a vehicle other than at the angle of the curb or edge of roadway indicated by signs or markings, and to provide for penalties. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Newsom welcomed, introduced and presented Certificates of Honor to members of the SFPD who have received Medals of Honor.

COMMITTEE REPORTS

031556 **[Investigate the closure of Real Food Co. on 24th Street in Noe Valley]**
Supervisors Dufty, Ma, Hall

Resolution requesting NLRB and DBI and other appropriate agencies to investigate the closure of Real Food Co. on 24th Street in Noe Valley.

Supervisor Hall requested to be added as a co-sponsor.
Resolution No. 658-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; homeless issues
Melanie Kramer; SFPD issues regarding a chicken
James Chaffee; Library issues
Vernon Jenkins; general issues
Brian Murphy Flynn; owner of 701Lombard Street opposed to Eminent Domain
Mathew Sheridan; opposed to 701 Lombard Street Eminent Domain
Kay Murphy Flynn; opposed to 701 Lombard Street Eminent Domain
John Dadonna; general issues
Sal Lucinatti; opposed to 701 Lombard Street Eminent Domain
Patricia Franklin, opposed to 701 Lombard Street Eminent Domain
Keith Wilson; opposed to 701 Lombard Street Eminent Domain
Marsha Crossman; opposed to 701 Lombard Street Eminent Domain
Lynn Jefferson; opposed to 701 Lombard Street Eminent Domain
Marsha Gardner, North Beach Chamber of Commerce; opposed to 701 Lombard Street Eminent Domain
James Luke, resident of North Beach; opposed to 701 Lombard Street Eminent Domain
Erin; drop charges regarding Queer Rights Activists
Female speaker; drop charges regarding Queer Rights Activists
Female Speaker; drop charges regarding Queer Rights Activists
Rocky Palli; opposed to 701 Lombard Street Eminent Domain
Bob Castle; rights for American Service men and women
Dennis Hodges; opposed to 701 Lombard Street Eminent Domain
Phil Mamooth; opposed to 701 Lombard Street Eminent Domain
Annette O'Neill; opposed to 701 Lombard Street Eminent Domain
Owner of 701 Lombard Street, withdrew appeal of CEQA Environmental Exemption
Larry Evan; general issues, medical marijuana

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031612 **[Commending Sacred Heart Cathedral Preparatory new Student Life Center]**
Supervisors Newsom, Hall

Resolution commending the Sacred Heart Cathedral Preparatory School on its 150th Anniversary, celebrating its legacy of graduating more than 80,000 high school students in the City and County of San Francisco and in celebrating the Grand Opening of the Daughters of Charity Foundation, Sister Teresa Piro, DC, Student Life Center.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 659-03
ADOPTED

031613 **[Commending Japanese Community Youth Council]**
Supervisors Newsom, Dufty, Ma

Resolution commending the Mayor's YouthWorks Program and the Mayor's Education and Employment Program on having been selected as recipients of the prestigious PEPNET Award and commending the Japanese Community Youth Council for serving as the lead agency of these two youth employment programs.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 660-03
ADOPTED

031614 **[Commending Starting Points Initiative]**
Supervisors Newsom, Dufty, Ma

Resolution commending Starting Points for the completion of its San Francisco Citywide Strategic Plan for Supporting Families and its recent formation of a Family Support Council.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 661-03
ADOPTED

031615 **[Establishing City Planning Audit Select Committee]**
Supervisor Daly

Motion creating a City Planning Audit Select Committee.

Motion No. M03-178
APPROVED

031617 **[Senate Bill 774]**
Supervisor Daly

Resolution urging Governor Gray Davis to sign Senate Bill 774, Pharmacy Syringe Sale and Disease Prevention Act.

Resolution No. 662-03
ADOPTED

031618 **[Commend Anne Stanton]**
Supervisors Daly, Dufty, Newsom

Resolution commending Anne Stanton for her decade of work and leadership for homeless youth in San Francisco as the esteemed Executive Director of the Larkin Street Youth Services.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 663-03
ADOPTED

031619 **[Commendation for Linnea Klee]**
Supervisors Daly, Dufty, Newsom

Resolution commending Linnea Klee for her ten years of service as Executive Director of the Children's Council of San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 664-03
ADOPTED

031620 **[Halloween in the Castro - Extended BART Service]**
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution urging the Bay Area Rapid Transit District to provide late night BART Service for the "Halloween in the Castro" event. Service would be extended from Midnight on October 31st until 2 a.m. on November 1st, 2003.

Resolution No. 665-03
ADOPTED

031621 **[Selective purchasing of oil from companies purchase leases or develop oil fields in the Arctic National Wildlife Refuge]**
Supervisors Gonzalez, Peskin, Daly, Newsom

Resolution urging the City of San Francisco to refrain from purchasing oil from companies that purchase leases or develop oil fields in the Arctic National Wildlife Refuge.

Supervisors Peskin, Daly and Newsom requested to be added as co-sponsors.

Resolution No. 666-03
ADOPTED

031622 **[Commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their work on the John Tennison case]**
Supervisors Gonzalez, Peskin, Daly

Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.

Supervisors Peskin and Daly requested to be added as a co-sponsors.

Resolution No. 667-03
ADOPTED

031624 **[Commending Jack Moerschbaecher]**
Supervisors Maxwell, Daly, Dufty, Ma, Peskin, Hall, Newsom

Resolution commending Jack Moerschbaecher, Director of the San Francisco Convention Facilities, for 20 years of outstanding service to the City and County of San Francisco and for receiving the 2003 Unsung Hero/Heroine Award from the Yerba Buena Alliance.

Supervisors Peskin, Hall and Newsom requested to be added as co-sponsors.

Resolution No. 668-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Ammiano, Ma

Severed from Without Reference to Committee Agenda

Supervisor Maxwell requested that this matter be severed so that it could be considered separately.

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall, Dufty

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

REFERRED to the Finance and Audits Committee.

Supervisor Hall requested that this matter be severed so that it could be considered separately.

031616 **[Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]**
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.

REFERRED to the Rules Committee.

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

031635 [Healthy Kids Program Expansion]
Supervisors Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.

REFERRED to the Finance and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031652 [Requiring for all public work involving asphalt that asphalt be purchased from the City asphalt plant]
Supervisor Peskin

Ordinance adopting new Subsection 6.22(Q) of Administrative Code Chapter 6, Article I, requiring that for all public work involving asphalt that public work contractors purchase the asphalt from the City asphalt plant.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031655 [Post-Employment Restrictions for Former City Employees]
Supervisor Newsom

Draft ordinance adding Chapter 8, Activities of Former Officers and Employees, to Article III of the Campaign and Governmental Conduct Code; moving Section 3.545 of the Campaign and Governmental Conduct Code to Section 3.800; and adding prohibitions to prevent former City employees, for a period of two years, from communicating on behalf of any other person or entity, other than the City and County of San Francisco, with an elected public official who was the former employee's appointing authority or City employees who are current appointees of that appointing authority.
9/30/03, RECEIVED AND ASSIGNED to Rules Committee.

031656 [Campaign Consultants Lobbying Current and Former Clients]
Supervisor Newsom

Draft ordinance amending Article II, Chapter I, Section 2.100, adding Section 2.117 to Article II, Chapter I, and adding Section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.
9/30/02, RECEIVED AND ASSIGNED to Rules Committee.

031657 **[Appropriation of funding and creation of special fund for the Octavia Boulevard Project]**
Supervisor Dufty

Ordinance appropriating $12,903,999 from the land sales to the San Francisco Redevelopment Agency and $1,106,631 in lease revenues from the Central Freeway land parcels for a total of $14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031658 **[Appropriate State and Federal funding for the CalWORKs, Medi-Cal, IHSS and Foster Care programs]**
Mayor

Ordinance appropriating $2,399,795 of CalWORKs, Medi-Cal, IHSS and Foster Care funding to fill 28.67 vacant FTEs including deletion of 9.38 FTEs and creation of 9.38 FTEs, purchase one-time materials and supplies, and provide stipends to emancipated foster youth for the Department of Human Services and amending Annual Salary Ordinance for Fiscal Year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031659 **[Public Employment]**
Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2003/04) reflecting the abolishment of 14 positions (9.38 FTEs) and the creation of 14 positions (9.38 FTEs) at the Department of Human Services. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

031651 **[Creation of Motorcycle Parking]**
Supervisors Gonzalez, Dufty

Resolution urging the Department of Parking and Traffic (DPT) to create 3,759 motorcycle parking spaces and implement a trial bicycle and motorcycle traffic calming parking space within a 120 day time period.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031660 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Traffic Safety for a project entitled California Seat Belt Compliance Campaign (CSBCC). (Mayor)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031673 **[Urging Governor Davis to sign Senate Bill 2]**
Supervisor Sandoval

Resolution urging Governor Davis to sign Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031674 **[2003 Domestic Violence Awareness Month]**
Supervisors Newsom, Dufty, Peskin, Ma

Resolution ratifying that the Board of Supervisors declares the month of October 2003 as "Domestic Violence Awareness Month" in the City and County of San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031675 **[Urging 108th Congress to Tie National School Lunch Program Eligibility to Regional Indicators and To Increase California's Reimbursement Rate]**
Supervisor Maxwell

Resolution urging 108th U.S. Congress to link National School Lunch Eligibility Criteria to Regional Poverty Indicators and to increase the Program's Reimbursement Rate.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031677 **[Commendation of the San Francisco Asian Peace Officers' Association]**
Supervisors Ma, Dufty, Peskin, Newsom

Resolution commending the San Francisco Asian Peace Officers' Association for their dedication and commitment to the community.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031678 **[Commemorating the 50th Anniversary of the Korean War]**
Supervisors Ma, Peskin, Newsom

Resolution commemorating the 50th anniversary of the Korean War.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031679 **[Commendation of National Day of the People's Republic of China]**
Supervisors Ma, Dufty

Resolution recognizing the contributions of the Chinese community to commerce, culture and diversity and declaring October 1, 2003 as the "54th National Day of the People's Republic of China" in the City and County of San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031680 **[Showers at Lowell High School]**
Supervisor Hall

Resolution urging the San Francisco Unified School District to consult with, and obtain the approval of, the Crestlake Property Owners Association, the Lakeshore Acres Improvement Club, the Lakeside Homes Association, the Lakeside Property Owner's Association, the Merced Manor Property Owner's Association, the West of Twin Peaks Central Council, and the District Seven Advisory Council before implementing a plan to allow homeless individuals to use shower facilities at Lowell High School.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031681 **[Commending Saint Thomas the Apostle Catholic Church]**
Supervisor McGoldrick

Resolution commending Saint Thomas the Apostle Catholic Church for its significant contribution to the community and proclaiming October 19, 2003 Saint Thomas the Apostle Catholic Church Day.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031682 **[Koshland Park--Gift-in-Place]**
Supervisors Gonzalez, Dufty, Peskin, Newsom

Resolution accepting a gift in place valued at approximately $200,000 from the Friends of Recreation and Parks, a non-profit organization, to the Recreation and Park Department of Koshland Park.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031683 **[Urging 108th U.S. Congress to pass the AgJobs Act of 2003]**
Supervisor Sandoval

Resolution urging 108th U.S Congress to pass the AgJobs Act of 2003 for seasonal immigrant farm workers.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031684 **[Commending the Committee for the Confucius Memorial Ceremony]**
Supervisors Ma, Peskin

Resolution commending the Committee for the Confucius Memorial Ceremony for their dedication to recognizing the teachings of Confucius.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall, Dufty

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Finance and Audits Committee.

031616 **[Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]**
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Rules Committee.

031635 **[Healthy Kids Program Expansion]**
Supervisors Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/30/03, REFERRED to Finance and Audits Committee.

Requests for Hearings

031654 **[SFPD's Community Relations Efforts]**
Supervisor Maxwell

Hearing to address the San Francisco Police Department's community relations efforts.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031667 **[Committee of the Whole - Human Rights Commission Appointment]**
Supervisor Peskin

Hearing to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission.
10/1/03, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Board Sitting as a Committee of the Whole pending approval of File Numbers 031663, 031664, and 031665 on October 7, 2003 at 4:00 p.m.

031653 **[Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget]**
Supervisor Daly

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget prior to submittal to the Mayor.
9/30/03, RECEIVED AND ASSIGNED to Budget Committee.

Motions

031666 **[Committee of the Whole]**
Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission to be held on October 7, 2003 at 4:00 p.m. (File Numbers 031663, 031664, and 031665).
10/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031650 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031663 **[Appointment - Human Rights Commission]**
Motion approving the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031664 **[Appointment - Human Rights Commission]**
Motion rejecting the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031665 **[Appointment - Human Rights Commission]**
Motion taking no position concerning the Mayor's appointment of Vernon Grigg to the Human Rights Commission, for term ending September 2, 2004. (Mayor)
10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031676 **[Legislative Analyst Request]**
Supervisors Dufty, Ma, Ammiano, Gonzalez

Motion requesting the Legislative Analyst's Office to study the non-profit collective/cooperative medical cannabis cultivation and distribution model recently employed by the Wo/men's Alliance for Medical Marijuana (WAMM) in Santa Cruz, and to analyze the feasibility and ramifications of implementing such a model in San Francisco.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Second Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)
8/12/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/11/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee. Referred to the Youth Commission on October 7, 2003.

031562 **[Charter Amendment - Retirement System benefits for domestic partners]**
Supervisors Ammiano, Dufty

Charter amendment (Second Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and adding Section A8.500-3 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.
9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

031600 **[Commercial Vehicle Parking in Certain Use Districts]**
Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

(No Public Benefit Recipient.)
9/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031598 **[First Amendment to Lease of SFPUC Property for Operation of a Public Golf Course and Related Facilities]**
Supervisor McGoldrick

Resolution authorizing a First Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., in San Mateo County. (Public Utilities Commission)

(Fiscal impact; Public Benefit Recipient.)
9/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031601 **[Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year 2002-2003 and thereafter]**
Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year ending June 30, 2003 and thereafter. (Controller)

(Fiscal impact; No Public Benefit Recipient.)
9/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the October 1, 2003 meeting.

031602 **[Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Supervisors Newsom, Daly

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2003-2004. (Public Health Department)

(Public Benefit Recipient.)
9/16/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to register more voters based on New York City's Pro-Vote law.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to prohibit campaign consultants from lobbying the Board of Supervisors, the Mayor or City departments and commissions.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to cede a budget and general guidelines to the Local Homeless Coordinating Board. This group, not elected officials, could decide on shelters, drug treatment, hotel beds, welfare rules and sanctions.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to preserve neighborhood scale by creating a district-wide environmental study of traffic and pollution related to housing done ahead of time of wider area. Neighborhood groups would have a voice at the front end when general building limits are hammered out. But once the rules and limits are set, the potential for delays, uncertainty and rising costs would be ended.

From: Supervisor Daly
To: Director, Treasure Island Development Authority
To: General Manager, Recreation and Park Department
Requesting/Inquiring: For the Director of Treasure Island and the General Manager of Recreation and Park to work together to advise on lessons learned from Treasure Island's Little League field and the steps needed to develop more fields.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance requiring signs for reporting offenders and to require warnings go out with garbage bills.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to increase the number of small local businesses that contract with the city as a way of promoting development and sustaining long-term investment. San Francisco currently has more than 60,000 small businesses but fewer than 20 percent of them have primary city contracts with the city.

From: Supervisor Daly
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To respond to comments from the San Francisco Chronicle related to traffic enforcement. (See Attached.)

From: Supervisor Hall
To: Director, Planning Department
Requesting/Inquiring: What steps or suggestions does the Department have for notifying all of San Francisco's homeowners about public meetings dealing with the Housing Element and the pending secondary unit legislation? Is it feasible for the Planning Department to send notice to all recipients of water bills or property tax bills?

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an opinion explaining whether or not homeowner association CC&R's "trump" provisions of the proposed Housing Element and the pending ordinance on secondary units.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft an ordinance that would address requirements for siting combustion turbines in the City, taking into consideration both the City process and commitments the City could make to address the concerns of the community, including the process for developing mitigation.

In Memoriams

Mort Bass (Supervisor Daly)
Arnette Watson (Supervisor Daly)
R. Jeffrey Hayward (Supervisor Dufty)
Edward Said (Supervisor Gonzalez)
Phyllis Porter (Supervisor Hall)
Richard Parrino (Supervisor Hall)
Ru-Jin Li (Supervisor Ma)
Sheila Hill-Fajors (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:56 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 21, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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10/7/03
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Tuesday, October 7, 2003 2:00 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DOCUMENTS DEPT.

JAN 13 2004

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MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:12 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Peskin, moved to approve September 16, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

AGENDA CHANGES

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board that October 7, 2003 is the last day to submit Revenue Bonds, Ordinances and Declarations of Policy for the March 4, 2004 Election.

Gloria L. Young, Clerk of the Board, introduced Amanda Kahn, a John Gardner Fellow who is with the Clerk's Office for 10 months working on several projects including a volunteer program for the Board.

Gloria L. Young, Clerk of the Board, informed the Board as a result of the innovative approach to knowledge management and succession planning that this organization has implemented, we have been selected to be a presenter at the Institute for International Research Brainstrust International 2004 Conference.

Gloria L. Young, Clerk of the Board, also informed the Board that the Clerk's Office is participating with Cal Berkeley Students in an organizational workspace redesign project.

CONSENT AGENDA

Recommendations of the City Services Committee

031518 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Environmental Protection Agency to provide training to municipal staff involved in construction and renovation of municipal buildings on Leadership in Energy and Environmental Design (LEEDTM) sustainable building standards and to develop a database to track municipal green building projects and their environmental benefits to the City and County of San Francisco. (Environment)

(No Public Benefit Recipient.)

Resolution No. 680-03
ADOPTED

031401 **[Improving coordination between the San Francisco Police Department and the Office of Citizen Complaints]**
Supervisors Gonzalez, Dufty, Daly

Ordinance amending the Administrative Code by adding a new Chapter 96, establishing requirements governing the authority and duties of the Police Department, the Office of Citizen Complaints and the Police Commission with respect to investigations by the Office of Citizen Complaints, including reporting on the status of sustained cases, minimum requirements for disclosure of documents by the Police Department, providing the Office of Citizen Complaints with subpoena power against third parties, imposing training requirements for police officers on whistleblower protection laws, and for police commissioners on public safety officer discipline, and adding uncodified provisions to require the Police Commission to consider revisions to the Early Warning System and study restricting promotions for officers disciplined for misconduct; require the Police Department and the Office of Citizen Complaints to meet and report on the development of a shared case tracking system; and require current police commissioners to receive training on public safety officer discipline.

No Public Benefit Recipient

Supervisor Daly requested to be added as a co-sponsor.
Ordinance No. 244-03
FINALLY PASSED

Recommendations of the Finance and Audits Committee

031360 **[Contracting out Security Guard Services]**
Resolution concurring with the Controller's certification that security guard services provided by Zonux Security Solutions can be performed at a lower cost than similar services performed by City and County Employees. (Parking and Traffic Department)

(Public Benefit Recipient.)

Resolution No. 673-03
ADOPTED

031494 **[Contracting for Security Guard Services at 1680 Mission Street for fiscal year 2003-2004]**
Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Bureaus of Construction Management and Engineering Offices at 1680 Mission Street by private contractor for a lower cost than if the services were performed by City employees. (Public Works Department)

(No Public Benefit Recipient.)

Resolution No. 678-03
ADOPTED

Recommendations of the Rules Committee

031515 **[Settlement of Lawsuit - Jonathan Johnson]**
Ordinance authorizing settlement of the lawsuit filed by Jonathan Johnson against the City and County of San Francisco for $150,000; the lawsuit was filed on June 11, 2001 in San Francisco Superior Court, Case No. 322-080; entitled Jonathan Johnson, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the waiver of the San Francisco General Hospital medical lien in the amount of $29,281.37. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 247-03
FINALLY PASSED

031391 **[Appointment]**
Resolution appointing Joanne Kipnis, term ending April 30, 2004 to the Animal Control and Welfare Commission.

Joanne Kipnis, succeeding Jamal James Modica, resigned, seat 2, must be a member representing the general public having interest and experience in animal matters for the unexpired portion of a two-year term ending April 30, 2004.

Resolution No. 674-03
ADOPTED

031392 **[Appointment]**
Resolution appointing Philip Choy, term ending December 16, 2003, to the San Francisco Museum and Historical Society Advisory Committee.

Philip Choy, succeeding Melissa Szeto, resigned, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco for the unexpired portion of a one-year term ending December 16, 2003.

Resolution No. 675-03
ADOPTED

030411 **[Appointment]**
Resolution appointing Stephen Griswold and Dhaya Lakshminarayanan, terms ending April 5, 2005 to the Urban Forestry Council. Residency requirement waived.

Stephen Griswold, (residency requirement waived) new appointment, seat 5, must be a representative of the Golden Gate National Recreational Area, for a 2 year term ending April 5, 2005.
Dhaya Lakshminarayanan, succeeding Diana Cohen, resigned, seat 8, must be a representative of the community for the unexpired portion of a two-year term ending April 5, 2005.

Resolution No. 670-03
ADOPTED

031431 **[Appointment]**
Resolution appointing Steven Chester, Stuart Berger, and Reverend G. Penny Nixon, terms ending May 15, 2005 to the Local Homeless Coordinating Board.

Steven Chester, succeeding himself, term expired, seat 1, must represent homeless or formerly homeless for a two-year term ending May 15, 2005.
Stuart Berger, succeeding himself, term expired, seat 3, must represent area of advocacy for a two-year term ending May 15, 2005.
Reverend G. Penny Nixon, succeeding Bob Nelson, term expired, seat 7, must be a service provider with the "floating" qualification of a focus on health services, HIV and harm reduction (This "floating" qualification currently attaches to this seat but can be assigned to any of the Mayor's or Board's service provider seats.) for a two-year term ending May 15, 2005.

Resolution No. 696-03
ADOPTED

031460 **[Confirming the re-appointment of Dar Singh to the San Francisco Redevelopment Agency] Mayor**

Resolution confirming the re-appointment of Dar Singh to the San Francisco Redevelopment Agency for a four-year term ending September 03, 2007.

Resolution No. 649-03
ADOPTED

031461 **[Confirming the re-appointment of Michelle Sexton to the San Francisco Redevelopment Agency] Mayor**

Resolution confirming the re-appointment of Michelle Sexton to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2007.

Resolution No. 650-03
ADOPTED

031492 **[Appointment]**
Resolution appointing Nicole Dogwill, term ending April 27, 2004, to the Sunshine Ordinance Task Force.

Nicole Dogwill, succeeding Joshua Koltun, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for the unexpired portion of a two-year term ending April 27, 2004.

Resolution No. 677-03
ADOPTED

Recommendations of the Land Use Committee

031406 **[Building Code - Technical Corrections/Clarifications]**
Supervisor Daly

Ordinance amending the Building Code to effect technical corrections/clarifications to Section 3102.8, by adding provisions previously included in the Code regarding woodburning appliances, Section 101.20, by adding provisions previously included in the Code regarding the operation of the Central Permit Bureau, Section 106.1, by deleting provisions regarding permit requirements that were previously removed from the Code, Section 106.3.2, by adding provisions previously included in the Code regarding submittal documents for permit applications, Section 103.3.1, 103.3.2, 103.3.3, 103.3.4, and 103.3.5 by deleting provisions regarding unlawful residential demolition and adding the provisions regarding unlawful residential demolition that were previously included in the Code, Section 205 by deleting the definition of demolition, by amending Figure 16B-1, Sections 105.4.2, 105.4.3.1, 107.1.1, 108.5.6, 1003.3.3.2, 1001A, 1304.A.1, 1307A.2, 1311A.1, 1313A.3, 1314A.2, 1316A.1, 1308A.3, 1605.4.3, 1604B.2.3, 1605B.3, 1605B.8, 1606B, 1604C, 1608C.5, 1611C.3.1, 1611C.4.2, 1611C.6.1, 1611C.6.2, 1611C.2.2.2, Table 16C-D, 1701.5, 3403.2.1.2, 3407.1, 3407.2.3, 3407.4.3, 3407.5.3.4, 3407.5.3.5, 3408.3.2, 1605.4.3, 1605.5, 106.4.4, 409.9.1, 1602C.6.1, 1602C.6.2, 3303.9.2, 3403.2.1.1, and 1605.4.1 to correct typographical errors, and making findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

Ordinance No. 245-03
FINALLY PASSED

031490 **[Angle Parking]**
Supervisor Daly

Ordinance amending San Francisco Traffic Code Sections 55 and 132 to prohibit any person from parking or standing a vehicle other than at the angle of the curb or edge of roadway indicated by signs or markings, and to provide for penalties. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as sponsor.
Ordinance No. 246-03
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Services Committee

030801 **[311/ Customer Relationship Management System]**
Supervisors Newsom, Daly, Gonzalez

Resolution urging the Department of Telecommunications and Information Systems (DTIS) to pursue all options necessary to develop a 311/Customer Relationship Management System; and urging DTIS and the Emergency Communications Department to continue to coordinate their respective efforts toward developing a project plan for implementing a 311/Customer Relationship Management System for the City and County of San Francisco.

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 694-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031196 **[CitiStat management strategy]**
Supervisors Newsom, Dufty, Ma, Daly, Gonzalez

Resolution urging the Department of Telecommunications and Information Services to investigate the feasibility of implementing a CitiStat management strategy for the City and County of San Francisco.

Supervisors Daly and Gonzalez requested to be added as a co-sponsors.

Resolution No. 695-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

Supervisor Ammiano noted present at 2:12 p.m.

031462 **[Appropriate funding for the Day Laborer Program]**
Supervisors Ammiano, Daly

Ordinance re-appropriating $75,000 from FY 2002-2003 and $90,000 FY 2003-2004 from the Mayor's Office to the Immigrant Rights Commission, Administrative Services Department, to fund the Day Laborer Program for fiscal year 2003-04.

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031276 **[Approving ballot and hearing procedures for renewal of the Union Square Business Improvement District]**
Supervisors Peskin, Dufty, Newsom, Hall

Resolution establishing ballot and hearing procedures governing ballots cast by property owners of property located within the boundaries of the Business Improvement District known as the "Union Square Business Improvement District" for the purpose of deciding whether to renew the assessment for the Union Square Business Improvement District for an additional five year term.

Continued to October 21, 2003

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031277 **[Authorize renewal and modification of the Union Square Business Improvement District]**
Supervisors Peskin, Dufty, Newsom, Hall

Resolution declaring the intention of the Board of Supervisors to authorize renewal and modification of boundaries of a property-based business improvement district known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Continued to October 21, 2003 with pending amendment.
Supervisor Newsom requested to be added as a co-sponsor.

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031498 **[Authorizing issuance/sale of bond refunding the City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment)]**
Mayor

Resolution authorizing and directing the sale of not to exceed $45,000,000 City and County of San Francisco Refunding Settlement Obligation Bonds, Series 2003-R1; prescribing the form and terms of said bonds, authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the form of the Official Notice of Sale and the Notice of the Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving the form of the Refunding Instructions; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

Resolution No. 679-03
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

031548 **[Purchase from the S.F.Unified School District of Real Property located at 380 Bacon St., San Francisco for the Public Library]**
Mayor, Supervisor Ammiano

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and the San Francisco Unified School District (the "Seller" or "District"), for the purchase of real property and improvements located at 380 Bacon St., San Francisco (being a portion of Block 5983), for use as the Portola Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 681-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

030999 **[Lot Line Selection for Vacant Lots Abutting Two or More Streets]**
Supervisor McGoldrick

Ordinance amending Planning Code Section 130 to require that before a lot owner may elect which lot line is to be the front lot line of the lot for purposes of the yard and setback requirements the lot must not only abut on two or more streets, but must also be vacant, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031100 **[Planning Code Amendment--Mining Exchange Building Setback]**
Mayor, Supervisor Hall

Ordinance adopting findings; and amending Appendix B to Article 11 of the San Francisco Planning Code to allow an addition over the San Francisco Mining Exchange Building set back no less than thirty (30) feet from Bush Street.

(No fiscal impact; Planning Commission Resolution No. 16275, adopted November 8, 2001, recommending approval.)

Supervisor Hall requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031368 **[Zoning Map Amendment in connection with Seawall Lot 330]**
Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the height and bulk district classification from 105-F to 220-G; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

(No Public Benefit Recipient; Companion measure to File 031369.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031369 **[General Plan Amendment in connection with Seawall Lot 330]**
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Bryant Street Residential Tower on Seawall Lot 330; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031434 **[Approval of Public Trust Exchange]**

Resolution approving an Exchange Agreement with the State Lands Commission that would remove the public trust and Burton Act trust from approximately 22,600 square feet of unimproved real property located on Seawall Lot 330 at the corner of Bryant and Beale Streets, and would place the public trust and Burton Act trust on an approximately 8.77 acre site located between Maryland Street, Cesar Chavez Street, and 24th Street, on the eastern portion of the Western Pacific parcel; and adopting findings that the approved actions are consistent with the City's General Plan and eight Priority Policies of City Planning Code Section 101.1. (Port)

(No Public Benefit Recipient.)

Resolution No. 676-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031099 **[CEQA Findings - Office projects for 350 Bush Street and 500 Pine Street, including the expansion of Saint Mary's Square Park]**

Mayor, Supervisor Hall

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act ("CEQA") and state guidelines in connection with the office projects for 350 Bush Street and 500 Pine Street, including the expansion of Saint Mary's Square Park and the amendment to Appendix B to Article 11 – Category II Buildings of the Planning Code.

(No fiscal impact.)

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 672-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031098 **[Expansion of Saint Mary's Square Park]**

Mayor, Supervisor Hall

Resolution in conjunction with the development of the office projects at 350 Bush Street and 500 Pine Street: (i) approving the conveyance of a parcel of property to the city, which parcel shall be improved and maintained as a public park at no cost to the city, pursuant to the terms of established documentation developed by the City Attorney's Office and the projects' sponsors (ii) authorizing execution of documentation implementing conveyance of the property and the effectuation of the transactions contemplated therein (iii) providing that, following the execution of the documentation and the conveyance, the property shall be under the jurisdiction of the Recreation and Park Commission to be administered by the San Francisco Recreation and Park Department and (iv) authorizing the Mayor's Office of Housing to accept and expend a voluntary contribution $1,000,000 for the acquisition or construction of permanent affordable single room occupancy housing in San Francisco.

(No fiscal impact.)

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 671-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Rules Committee

Supervisor Ammiano noted absent at 2:46 p.m.

031502 **[Reduce Members of Lead Hazard Reduction Citizens Advisory Committee From 20 to 15]**
Supervisor Peskin

Ordinance amending section 1608 of the San Francisco Health Code to reduce the number of voting members in the Lead Hazard Reduction Citizen Advisory Committee from 20 to 14 members by eliminating seats for the affordable housing developers, financial expert, and child care representatives, reducing the number of paint contractor representatives from two to one and reducing the number of tenant representatives from three to one.

Supervisor Hall, seconded by Supervisor Peskin, moved to amend by restoring one of the tenant representative seats.

AMENDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Ordinance amending Section 1608 of the San Francisco Health Code to reduce the number of voting members in the Lead Hazard Reduction Citizen Advisory Committee from 20 to 15 members by eliminating seats for the affordable housing developers, financial expert, and child care representatives, reducing the number of paint contractor representatives from two to one and reducing the number of tenant representatives from three to two.

Supervisor Daly moved to amend by requiring $2,950,000 from the sale of this property be taken from the Open Park Space Fund and given to either the Department of Public Works or another appropriate agency for housing for the homeless.

Motion failed for lack of a second.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031545 **[Agreement to Exchange of Property and Settlement of Lawsuit - William F. Spiers dba Spiers Construction Company]**
Supervisors Hall, Dufty

Ordinance authorizing an agreement to exchange vacant land uphill from Edgehill Park for the City's property on Portola Drive; adopting findings that the exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the exchange agreement; and authorizing settlement of the lawsuit entitled City and County of San Francisco v. William F. Spiers dba Spiers Construction Company, filed on November 29, 2001 in San Francisco Superior Court, Case No. 401-800, for an injunction requiring removal of Spiers' fence blocking access to Edgehill Park, for dismissal of Spiers' cross-complaint for quiet title, and for the exchange agreement.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly

Supervisors Gonzalez and Ma Excused From Voting

Supervisor Ammiano, seconded by Supervisor Peskin, moved to excuse Supervisors Gonzalez and Ma from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 2 - Hall, Ma

031646 **[Appointment]**

Resolution appointing Fiona Ma and Matt Gonzalez terms ending June 30, 2005 to the Association of Bay Area Governments Executive Board.

Fiona Ma, succeeding herself, term expired, seat 1, must be a member of the Board of Supervisors, for a two year term ending June 30, 2005.
Matt Gonzalez, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for a two year term ending June 30, 2005.

Resolution No. 682-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 2 - Gonzalez, Ma

SPECIAL ORDER 4:00 P.M.

Recess

The Board recessed at the hour of 3:54 p.m.

Reconvening of the Board

The Board at the hour of 4:06 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin - 6

Quorum present.

Supervisors Ammiano, McGoldrick, Newsom, Sandoval were noted present at 4:08 p.m.

(This matter may be continued.)

Board of Supervisors Sitting as a Committee of the Whole

031552 **[Hearing - Acquisition of Property by Eminent Domain - 701 Lombard Street]**

Hearing of persons interested in or objecting to proposed resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Clerk of the Board)

(Companion measure to Files 031550, 031551, 031552.)

The President inquired if there was anyone present who wished to address the Board.
Speakers:
Alice Barkley, Attorney objecting to the continuance

Continued to October 21, 2003 at 4:00 p.m.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

Committee of the Whole Rise and Report Without Recommendation

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**
Supervisor Peskin

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

Continued to October 21, 2003 at 4:00 p.m.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 031666.)

031667 **[Committee of the Whole - Human Rights Commission Appointment]**
Supervisor Peskin

Hearing to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission.

TABLED.

Committee of the Whole Rise and Report Without Recommendation

(Only one of the following three motions should be adopted.)

031663 **[Appointment - Human Rights Commission]**
Motion approving the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)

TABLED.

031664 **[Appointment - Human Rights Commission]**
Motion rejecting the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)

TABLED.

031665 **[Appointment - Human Rights Commission]**
Motion taking no position concerning the Mayor's appointment of Vernon Grigg to the Human Rights Commission, for term ending September 2, 2004. (Mayor)

TABLED.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless and general issues
David Grace, Green Party representative; requesting Board not to support Fleet Week in SF
Male Speaker, Green Party representative; requesting Board not to support Fleet Week in SF
Vernon Jenkins; general issues
Richard Wong; dog play areas
Larry Evans; general issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

031676 **[Legislative Analyst Request]**
Supervisors Dufty, Ma, Ammiano, Gonzalez

Motion requesting the Legislative Analyst's Office to study the non-profit collective/cooperative medical cannabis cultivation and distribution model recently employed by the Wo/men's Alliance for Medical Marijuana (WAMM) in Santa Cruz, and to analyze the feasibility and ramifications of implementing such a model in San Francisco.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031674 **[2003 Domestic Violence Awareness Month]**
Supervisors Newsom, Dufty, Peskin, Ma

Resolution ratifying that the Board of Supervisors declares the month of October 2003 as "Domestic Violence Awareness Month" in the City and County of San Francisco.

Supervisors Peskin and Ma requested to be added as co-sponsors.

Resolution No. 683-03
ADOPTED

031675 **[Urging 108th Congress to Tie National School Lunch Program Eligibility to Regional Indicators and To Increase California's Reimbursement Rate]**
Supervisor Maxwell

Resolution urging 108th U.S. Congress to link National School Lunch Eligibility Criteria to Regional Poverty Indicators and to increase the Program's Reimbursement Rate.

Resolution No. 684-03
ADOPTED

031677 **[Commendation of the San Francisco Asian Peace Officers' Association]**
Supervisors Ma, Dufty, Peskin, Newsom

Resolution commending the San Francisco Asian Peace Officers' Association for their dedication and commitment to the community.

Resolution No. 685-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031679 **[Commendation of National Day of the People's Republic of China]**
Supervisors Ma, Dufty

Resolution recognizing the contributions of the Chinese community to commerce, culture and diversity and declaring October 1, 2003 as the "54th National Day of the People's Republic of China" in the City and County of San Francisco.

Resolution No. 687-03
ADOPTED

031681 **[Commending Saint Thomas the Apostle Catholic Church]**
Supervisor McGoldrick

Resolution commending Saint Thomas the Apostle Catholic Church for its significant contribution to the community and proclaiming October 19, 2003 Saint Thomas the Apostle Catholic Church Day.

Resolution No. 688-03
ADOPTED

031682 **[Koshland Park--Gift-in-Place]**
Supervisors Gonzalez, Dufty, Peskin, Newsom

Resolution accepting a gift in place valued at approximately $200,000 from the Friends of Recreation and Parks, a non-profit organization, to the Recreation and Park Department of Koshland Park.

Supervisors Peskin and Newsom requested to be added as co-sponsors.

Resolution No. 689-03
ADOPTED

031683 **[Urging 108th U.S. Congress to pass the AgJobs Act of 2003]**
Supervisor Sandoval

Resolution urging 108th U.S Congress to pass the AgJobs Act of 2003 for seasonal immigrant farm workers.

Resolution No. 690-03
ADOPTED

031684 **[Commending the Committee for the Confucius Memorial Ceremony]**
Supervisors Ma, Peskin

Resolution commending the Committee for the Confucius Memorial Ceremony for their dedication to recognizing the teachings of Confucius.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 691-03
ADOPTED

031650 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-181
APPROVED

031668 **[Final Map for a 7 Lot Airspace Subdivision Project]**
Motion approving Final Map of Mission Place Phase 1, 250 King Street and 260 King Street, a Subdivision of Airspace, Lot 3, Assessor's Block No. 8702, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,413; District 6.)

Motion No. M03-182
APPROVED

031669 **[Final Map for a 130 Unit Residential Condominium Project]**

Motion approving Final Map of Mission Place Phase 2, 250 King Street, a Residential Condominium Project, being a Subdivision of Lot 5, Assessor's Block No. 8702, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,414; District 6.)

Motion No. M03-183
APPROVED

031670 **[Final Map for a 96 Unit Residential Condominium Project]**

Motion approving Final Map of Mission Place Phase 3, 250 King Street, a Residential Condominium Project, being a Subdivision of Lot 6, Assessor's Block No. 8702, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,415; District 6.)

Motion No. M03-184
APPROVED

031671 **[Final Map for a 65 Unit Residential Condominium Project]**

Motion approving Final Map of Mission Place Phase 4, 250 King Street, a Residential Condominium Project, being a Subdivision of Lot 7, Assessor's Block No. 8702, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,416; District 6.)

Motion No. M03-185
APPROVED

031672 **[Final Map for a 6 Unit Residential Condominium Project]**

Motion approving Final Map of 3615 20th Street, a Residential Condominium Project, being a Subdivision of Lot 74, Assessor's Block No. 3608, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,422; District 9.)

Motion No. M03-186
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From Without Reference to Committee Agenda

Supervisor Dufty requested that this matter be severed so that it could be considered separately.

031666 **[Committee of the Whole]**
Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission to be held on October 7, 2003 at 4:00 p.m. (File Numbers 031663, 031664, and 031665).

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Ammiano, Gonzalez, Peskin
Absent: 1 - Daly

Supervisor Daly requested that this matter be severed so that it could be considered separately.

031673 **[Urging Governor Davis to sign Senate Bill 2]**
Supervisor Sandoval

Resolution urging Governor Davis to sign Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.

Continued to October 21, 2003

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it could be considered separately.

031678 **[Commemorating the 50th Anniversary of the Korean War]**
Supervisors Ma, Peskin, Newsom

Resolution commemorating the 50th anniversary of the Korean War.

Supervisor Daly, seconded by Supervisor Ma, moved to amend on page 1 line 3 by replacing "commemorating" with "honoring and remembering all Korean War Veterans and families on" (New Title); on line 17, by replacing "commemorates" with "honors and remembers all Korean War Veterans and families on".

Supervisors Peskin and Newsom requested to be added as co-sponsors.

Supervisor Daly, seconded by Supervisor Ma, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution honoring and remembering all Korean War Veterans and families on the 50th anniversary of the Korean War.

Resolution No. 686-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it could be considered separately.

031680 **[Showers at Lowell High School]**

Supervisor Hall

Resolution urging the San Francisco Unified School District to consult with, and obtain the approval of, the Crestlake Property Owners Association, the Lakeshore Acres Improvement Club, the Lakeside Homes Association, the Lakeside Property Owner's Association, the Merced Manor Property Owner's Association, the West of Twin Peaks Central Council, and the District Seven Advisory Council before implementing a plan to allow homeless individuals to use shower facilities at Lowell High School.

REFERRED to the City and School District Select Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Peskin, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Peskin, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031699 **[Commending Lateefah Simon]**
Supervisors Daly, Dufty

Resolution commending Lateefah Simon for her exceptional work as the Executive Director of the Center for Young Women's Development and for being named as a recipient of the 2003 John D. and Catherine T. MacArthur Foundation Fellowship.

Resolution No. 692-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031700 **[Proclaiming October 15, 2003 National Latino AIDS Awareness Day in San Francisco]**
Supervisors Sandoval, Dufty

Resolution proclaiming October 15, 2003 National Latino AIDS Awareness Day (NLAAD) in San Francisco and commending the San Francisco Bay Area NLAAD Committee for educating the public about this issue.

Resolution No. 693-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

022032 **[17th and Rhode Island Street Grocery Store Special Use Subdistrict]**
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)
10/7/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing same title.

12/16/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 1/15/2003.

12/30/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

8/26/03, RESPONSE RECEIVED. Planning Commission Resolution No. 16632, adopted August 21, 2003, recommending approval, and amendment to Prohibit Nighttime Entertainment uses.

9/10/03, RESPONSE RECEIVED. Final Environmental Impact Report; Final Supplemental Environmental Impact Report.

9/16/03, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

9/16/03, ASSIGNED to Land Use Committee.

10/7/03, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing same title.

10/7/03, ASSIGNED to Land Use Committee.

031701 **[Distribution of literature by a residential tenant in a building to other tenants in the building, regarding matters of common interest or concern to the tenancies]**
Supervisor Peskin

Ordinance adding Administrative Code Chapter 49A "Residential Tenant Communications" regarding a residential tenant's permissible use of common areas to distribute literature to other tenants in the building, including literature distributed on behalf of a tenants' association or other tenants' organization, where the literature relates to issues of common interest or concern to the building's tenancies; distribution may include placement of literature on or in front of tenant doors, with the distributor's name/address/telephone number plainly included for any tenant to opt out of future doorway distributions; and, the landlord may establish other reasonable requirements as to the time, place, manner, and volume, of such literature distribution.

10/7/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/6/2003.

031702 **[Reappropriate funding to fund Fire Engine 33]**
Supervisor Sandoval

Ordinance reappropriating $1,600,000 from uniform salaries and benefits from elimination of Battalion Chiefs to fund uniform salaries, premium pay, uniform overtime, fringe benefits, and materials and supplies to keep Fire Engine 33 open in fiscal year 2003-2004.

(Fiscal impact.)
10/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031708 **[Citizens Advisory Committee on Elections]**
Supervisor Hall

Ordinance amending the San Francisco Municipal Elections Code, by repealing Sections 700 through 760, regarding the Citizens Advisory Committee on Elections.
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

031709 **[Dissolving the Advisory Committee on Adult Detention]**
Supervisor Hall

Ordinance amending the San Francisco Administrative Code, by repealing Sections 13.70 through 13.75, regarding the Advisory Committee on Adult Detention.
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

031703 **[Joint Use Cooperative Agreements between the S.F. Public Library and the SFUSD]**
Supervisor Ammiano

Resolution approving the Joint Use Cooperative Agreements between the San Francisco Public Library and the San Francisco Unified School District for the purpose of Proposition 14 grant applications to construct the Ingleside, Portola, Visitacion Valley, and Ortega branch libraries.
10/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031704 **[Dissolving the Advisory Committee to Fulfill the Charter Reform Mandate]**
Supervisor Hall

Resolution repealing Resolution No. 283-94, to dissolve the "Advisory Committee to Fulfill the Charter Reform Mandate."
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

031705 **[Dissolving the Citizens Committee for Public Participation In Waste Water Project Evaluation]**
Supervisor Hall

Resolution repealing Resolution No. 19-73, to dissolve the "Citizens Committee for Public Participation In Waste Water Project Evaluation."
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

031706 **[Dissolving the National Service Blue Ribbon Commission]**
Supervisor Hall

Resolution repealing Resolutions Nos. 300-93 and 894-93, to dissolve the "National Service Blue Ribbon Commission."
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

031707 **[Dissolving the Ballpark/Arena Advisory Committee]**
Supervisor Hall

Resolution repealing Resolution No. 1012-93, to dissolve the "Ballpark/Arena Advisory Committee."
10/7/03, RECEIVED AND ASSIGNED to Rules Committee.

031710 **[Airport Concession Leases]**
Supervisor McGoldrick

Resolution approving the twenty-eight (28) leases for the Airport's Domestic Terminal Food and Beverage Redevelopment Program - between Lori's Diner International, Inc.; Andale SFO; Sanraku, Inc.; Meyers Holdings, LLC, Firewood Café, Series I-II; Fung Lum Express, LLC; Bayport Concessions, LLC; Bay Area Restaurant Group Joint Venture; GDDC, Inc.; Tomokazu Japanese Cuisine (SFO), Inc.; (Jonathan Leong) L & H, LLC; H. Young Enterprises, Inc.; WSE Group; San Francisco Soup Co., Inc.; Guava & Java (SFO), Inc.; J. Avery Enterprises; Gotham Enterprises, LLC, SFO Coffee IV-VI Series; H. Young Enterprises; Susie Lee Tong Enterprises, Inc.; Lady Luck Gourmet, LLC; Creative Host Services, Inc.; D-Lew Enterprises, LLC; Burger Joint, Inc.; Creative Host Services, Inc.; Emporio Rulli, Inc.; Bay Area Restaurant Group Joint Venture; D-Lew Enterprises, LLC; Bay Area Restaurant Group Joint Venture; Andre-Boudin Bakeries, Inc., each as a tenant, and the City and County of San Francisco, acting by and through its Airport Commission, as landlord.

(Fiscal impact.)
10/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031711 **[Supporting European Union Efforts to Regulate Hazardous Chemicals]**
Supervisors McGoldrick, Ma

Resolution supporting efforts in the European Union to institute an effective new policy for regulating hazardous chemicals.
10/7/03, RECEIVED AND ASSIGNED to City Services Committee.

031712 **[Accept - Expend Federal Grant]**
Mayor, Supervisor Dufty

Resolution authorizing the Mayor of the City and County of San Francisco to accept retroactively and expend a grant in the amount of $1,173,258 from the U.S. Department of Justice, Bureau of Justice Assistance, under the FY 2003 Local Law Enforcement Block Grants Program. (Mayor)
10/7/03, RECEIVED AND ASSIGNED to City Services Committee.

031718 **[Supporting Immigrant Pride Day 2003 in the City & County of San Francisco]**
Supervisor Gonzalez

Resolution waiving the fees associated with Immigrant Pride Day for the San Francisco Police Department and the San Francisco Fire Departments and urging the Municipal Transportation Agency to join with the City and waive their fees in support of Immigrant Pride Day.
10/7/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031719 **[Commending the Mission Council]**
Supervisor Daly

Resolution commending the Mission Council for 25 years of delivering culturally competent, community-based services to the people of San Francisco.
10/7/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031720 **[Proclaiming October 2003 Potrero Hill Month]**
Supervisor Maxwell

Resolution proclaiming October 2003 "Potrero Hill Month" in the City and County of San Francisco.
10/7/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031680 **[Showers at Lowell High School]**
Supervisor Hall

Resolution urging the San Francisco Unified School District to consult with, and obtain the approval of, the Crestlake Property Owners Association, the Lakeshore Acres Improvement Club, the Lakeside Homes Association, the Lakeside Property Owner's Association, the Merced Manor Property Owner's Association, the West of Twin Peaks Central Council, and the District Seven Advisory Council before implementing a plan to allow homeless individuals to use shower facilities at Lowell High School.
9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/7/03, REFERRED to City and School District Select Committee.

Requests fo Hearing

031713 **[Mission High School Shower Program]**
Supervisor Ammiano

Hearing of the Joint City/School District Committee to consider the feasibility of a School District Expansion of the Mission High School Shower Program.
10/7/03, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests this matter be scheduled at the October 20, 2003 meeting.

031714 **[San Francisco Housing Authority]**
Supervisors Maxwell, Gonzalez, Daly

Hearing to clarify the activities and responsibilities of the San Francisco Housing Authority with respect to the Request for Qualifications to Develop on Authority-Owned Land issued on July 28, 2003.
10/7/03, RECEIVED AND ASSIGNED to Land Use Committee.

031715 **[Gang Violence in the City]**
Supervisors Maxwell, Dufty

Hearing on efforts by City departments to reverse the increase in gang violence in the City.
10/7/03, RECEIVED AND ASSIGNED to City Services Committee.

Charter Amendments

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Third Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)
8/12/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/11/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee. Referred to the Youth Commission on October 7, 2003.
10/7/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing same title.
10/7/03, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

031642 **[Settlement of Lawsuit - Marie Lavin]**
Ordinance authorizing settlement of the lawsuit filed by Marie Lavin against the City and County of San Francisco for $200,000; the lawsuit was filed on December 5, 2001, in the San Francisco Superior Court, Case No. 402019, entitled Marie Lavin v. City and County of San Francisco, Adult Probation Department. (City Attorney)

(Public Benefit Recipient.)
9/29/03, RECEIVED AND ASSIGNED to Rules Committee.

031643 **[License Agreement with Broadcast Music Incorporated]**
Ordinance authorizing the City Administrator to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyer's Association and Broadcast Music Incorporated to license music uses by the City under a license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds $25,000. (City Administrator)

(No Public Benefit Recipient.)
9/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

031640 **[Airport - Amendment to Concession Agreement and Lease Agreement for Rental Car Operations]**
Resolution approving (a) Amendment No. 1 to the Concession Agreements and Lease Agreements for Rental Car Operations between Alamo Rent-A-Car, LLC, Avis Rent-A-Car System, Inc., Budget Rent-A-Car Systems, Inc., Dollar Rent-A-Car System, Inc., Enterprise Rent-A-Car Company of San Francisco, The Hertz Corporation, and Thrifty Rent-A-Car System, Inc., and the City and County of San Francisco, acting by and through its Airport Commission; and (b) Amendment No. 1 to the Lease Agreement for Rental Car Operations between National Car Rental Systems, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)
9/26/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031641 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $51,500 from the Environmental Protection Agency to reduce levels of mercury entering the San Francisco Bay by limiting the wastes associated with mercury amalgam fillings generated by dental offices to minimum achievable levels through a Dental Mercury Reduction Program. (Environment)

(No Public Benefit Recipient.)
9/26/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance that establishes a moratorium for off-sale liquor licenses in the City and County of San Francisco, requires that an annual inventory of off-sale liquor licenses be developed and requires that the San Francisco Police Department report on any crimes that happen on the premises of a off-sale liquor license holder to the Board of Supervisors on an annual basis.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To amend Sections 515.01 of the Business and Tax Regulations Code based on the attached document related to the Hotel Tax Allocations for Cultural Centers. (See attached.)

From: Supervisor Newsom
To: Mayor's Office of Housing
Requesting/Inquiring: To report on the feasibility of expanding the City's existing Teacher Home Purchase Programs. Specifically:

What would the City of San Francisco have to do to increase the amount of the grant received from the California Housing Finance Agency (CalHFA) towards the Extra Credit Teacher Home Purchase Program, thereby increasing the number of home loan packages available? And,
How much more funding is needed from CalHFA to make the program available to 100 teachers?
In addition to the Extra Credit Program and the HiCap Assistance Program, what is the feasibility of city-based supplemental assistance, such as a bond measure, in the form of a deferred loan to help cover down payment and closing costs?
How can the City ensure that the grant supplied by CalHFA is not completely used up before a reserve or additional funds are available, thereby avoiding a gap in the opportunity for teachers to take advantage of the incentive?
How is the current Teacher Home Purchase Program being publicized within the San Francisco Unified School District?

In Memoriams

Lt. Thomas R. Shawyer (Supervisor Dufty)

ADJOURNMENT

There being no further business, the Board at the hour of 4:34 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 4, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
Meeting Minutes

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, October 21, 2003 2:00 PM

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Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Newsom - 1

Quorum present.

Supervisor Newsom was noted present at 2:16 p.m.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Ma, moved to approve September 23, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

CONSENT AGENDA

Recommendations of the City Services Committee

031530 **[Grant to improve traffic and pedestrian safety in San Francisco]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $439,455 from the California Business, Transportation & Housing Agency Office of Traffic Safety (CBTHAOTS) to prevent DUI and resultant traffic injuries and to enter into an agreement for the use of these funds; for the period of October 1, 2003 to December 31, 2005. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 704-03
ADOPTED

031641 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $51,500 from the Environmental Protection Agency to reduce levels of mercury entering the San Francisco Bay by limiting the wastes associated with mercury amalgam fillings generated by dental offices to minimum achievable levels through a Dental Mercury Reduction Program. (Environment)

(No Public Benefit Recipient.)

Resolution No. 707-03
ADOPTED

Recommendation of the Finance and Audits Committee

031462 **[Appropriate funding for the Day Laborer Program]**
Supervisors Ammiano, Daly

Ordinance re-appropriating $75,000 from FY 2002-2003 and $90,000 FY 2003-2004 from the Mayor's Office to the Immigrant Rights Commission, Administrative Services Department, to fund the Day Laborer Program for fiscal year 2003-04.

Ordinance No. 252-03
FINALLY PASSED

Recommendations of the Land Use Committee

030999 **[Lot Line Selection for Vacant Lots Abutting Two or More Streets]**
Supervisor McGoldrick

Ordinance amending Planning Code Section 130 to require that before a lot owner may elect which lot line is to be the front lot line of the lot for purposes of the yard and setback requirements the lot must not only abut on two or more streets, but must also be vacant, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 248-03
FINALLY PASSED

031100 **[Planning Code Amendment--Mining Exchange Building Setback]**
Mayor, Supervisor Hall

Ordinance adopting findings; and amending Appendix B to Article 11 of the San Francisco Planning Code to allow an addition over the San Francisco Mining Exchange Building set back no less than thirty (30) feet from Bush Street.

(No fiscal impact; Planning Commission Resolution No. 16275, adopted November 8, 2001, recommending approval.)

Ordinance No. 249-03
FINALLY PASSED

031368 **[Zoning Map Amendment in connection with Seawall Lot 330]**

Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the height and bulk district classification from 105-F to 220-G; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

(No Public Benefit Recipient; Companion measure to File 031369.)

Ordinance No. 250-03
FINALLY PASSED

031369 **[General Plan Amendment in connection with Seawall Lot 330]**

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Bryant Street Residential Tower on Seawall Lot 330; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

(No Public Benefit Recipient.)

Ordinance No. 251-03
FINALLY PASSED

031527 **[Accept-Expend Regional Grant]**

Resolution authorizing the Director of Transportation or his designee to accept and expend $157,000 in FY 03/04 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes and purchase and install bicycle racks and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Resolution No. 702-03
ADOPTED

Recommendation of the Rules Committee

031502 **[Reduce Members of Lead Hazard Reduction Citizens Advisory Committee From 20 to 15]**
Supervisor Peskin

Ordinance amending Section 1608 of the San Francisco Health Code to reduce the number of voting members in the Lead Hazard Reduction Citizen Advisory Committee from 20 to 15 members by eliminating seats for the affordable housing developers, financial expert, and child care representatives, reducing the number of paint contractor representatives from two to one and reducing the number of tenant representatives from three to two.

Ordinance No. 253-03
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

031276 **[Approving ballot and hearing procedures for renewal of the Union Square Business Improvement District]**
Supervisors Peskin, Dufty, Newsom, Hall

Resolution establishing ballot and hearing procedures governing ballots cast by property owners of property located within the boundaries of the Business Improvement District known as the "Union Square Business Improvement District" for the purpose of deciding whether to renew the assessment for the Union Square Business Improvement District for an additional five year term.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 700-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

031277 **[Authorize renewal and modification of the Union Square Business Improvement District]**
Supervisors Peskin, Dufty, Newsom, Hall

Resolution declaring the intention of the Board of Supervisors to authorize renewal and modification of boundaries of a property-based business improvement district known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Supervisor Peskin, seconded by Supervisor Daly, moved to amend on page 3, line 21, by replacing "December 9, 2003 at 3 p.m." with "December 16, 2003 at 4 p.m."
Supervisor Hall requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Resolution No. 697-03

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Recommendation of the Rules Committee

Supervisor Newsom noted present at 2:16 p.m.

031545 **[Agreement to Exchange of Property and Settlement of Lawsuit - William F. Spiers dba Spiers Construction Company]**
Supervisors Hall, Dufty

Ordinance authorizing an agreement to exchange vacant land uphill from Edgehill Park for the City's property on Portola Drive; adopting findings that the exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the exchange agreement; and authorizing settlement of the lawsuit entitled City and County of San Francisco v. William F. Spiers dba Spiers Construction Company, filed on November 29, 2001 in San Francisco Superior Court, Case No. 401-800, for an injunction requiring removal of Spiers' fence blocking access to Edgehill Park, for dismissal of Spiers' cross-complaint for quiet title, and for the exchange agreement.

(Public Benefit Recipient.)

Continued to November 18, 2003

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 5 - Dufty, Gonzalez, Hall, Ma, Newsom

NEW BUSINESS

Recommendation of the Budget Committee

030983 **[2004 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 11 (Series 2004A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,395,000; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. (Mayor)

Resolution No. 699-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval

Recommendations of the City Services Committee

030771 **[Liquor License, 1765 California Street]**
Resolution determining that issuance of a Type 42 on-sale beer and wine public premises license to Jeff Campbell dba "Whole Foods Market", in addition to its existing Type 20 off-sale beer and wine alcoholic beverage control license at 1765 California Street (District 2), will serve the convenience of the people of the City and County of San Francisco; in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 698-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031519 **[Refugee County Plan]**
Resolution approving the San Francisco Federal Fiscal Year 2003 Refugee County Plan. (Private Industry Council)

(No Public Benefit Recipient.)

Resolution No. 701-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031602 **[Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Supervisors Newsom, Daly

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2003-2004. (Public Health Department)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 706-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

030869 **[Tobacco Sales Permit]**
Supervisors Maxwell, Ammiano, Daly, Dufty, McGoldrick, Sandoval

Ordinance amending the San Francisco Health Code by adding Article 19H to require a permit for tobacco sales and amending the San Francisco Business and Tax Regulations Code by adding section 249.16 to set the fee for the tobacco sales permit.

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

031658 **[Appropriate State and Federal funding for the CalWORKs, Medi-Cal, IHSS and Foster Care programs]**
Mayor

Ordinance appropriating $2,399,795 of CalWORKs, Medi-Cal, IHSS and Foster Care funding to fill 28.67 vacant FTEs including deletion of 9.38 FTEs and creation of 9.38 FTEs, purchase one-time materials and supplies, and provide stipends to emancipated foster youth for the Department of Human Services and amending Annual Salary Ordinance for Fiscal Year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031659 **[Public Employment]**

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2003/04) reflecting the abolishment of 14 positions (9.38 FTEs) and the creation of 14 positions (9.38 FTEs) at the Department of Human Services. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031601 **[Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year 2002-2003 and thereafter]**

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year ending June 30, 2003 and thereafter. (Controller)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 705-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

031608 **[Taxicab Gate Fees]**
Supervisor Hall

Ordinance amending Section 1135.1 of the Police Code to provide for extending to March 1, 2004 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a long-term lease fee cap covering long-term lease drivers and an ordinance establishing a program of health insurance/health benefits for taxi drivers; and to authorize the Board of Supervisors by resolution to extend the times provided for in Section 1135.1 for sunsetting the higher gate fee cap.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031528 **[Street Artist Hyde Street Spaces]**

Resolution re-designating seven (7) permanent selling spaces on Hyde Street, west side, Beach to Jefferson Streets; deleting seven (7) permanent selling spaces on Hyde Street, east side, Beach to Jefferson Streets; re-designating fourteen (14) selling spaces on Hyde Street, east side, Beach to Jefferson Streets; designating two (2) additional selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said seven spaces on Hyde Street, west side, Beach to Jefferson Streets, from Police Code Section 2405(c)(16) requiring street artists to maintain a minimum of eight feet of passageway for pedestrians. (Arts Commission)

(No Public Benefit Recipient.)

Resolution No. 703-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

031457 **[Introducing General Obligation Bond proposals 168 days before election]**
Supervisor Gonzalez

Ordinance amending Section 2.31 of the Administrative Code to require that resolutions of necessity for proposed general obligation bonds must be introduced at the Board of Supervisors not less than 168 days before the election at which the voters could consider the proposed bond measure, rather than 169 days before the election.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Ma introduced, welcomed and presented a Certificate of Honor to Ms. Noel Neill aka "Lois Lane".

Recess

The Board recessed at the hour of 3:17 p.m.

Reconvening of the Board

The Board at the hour of 4:09 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin - 7

Quorum present.

Supervisors Ammiano, McGoldrick and Sandoval were noted present at 4:12 p.m.

SPECIAL ORDER 4:00 P.M.

031686 **[Public Hearing - Appeal, Categorical Exemption, 701 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 5, 2003, approving a categorical exemption for the proposed Acquisition by Eminent Domain at 701 Lombard Street. (Appellant: James A. Reuben, attorney for Brian O'Flynn and Martin Coyne).

Alice Barkley, Attorney for Appellant requested clarification regarding the issue relating to the categorical exemption.
Paul Maltzer, Department of Planning informed the Board that the Planning Department acted on the categorical exemption.
Elizabeth Goldstein, General Manager, Recreation and Park Department, informed the Board the matter regarding the Recreation and Park Department is the acquisition of the property.

The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031687 **[Affirming the exemption issued for 701 Lombard Street]**

Motion affirming the determination by the Planning Department that the acquisition of 701 Lombard Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M03-187

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

031688 **[Disapproving the exemption issued for 701 Lombard Street]**

Motion disapproving the determination by the Planning Department that the acquisition of 701 Lombard Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

TABLED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

031689 **[Preparation of findings related to the exemption appeal for 701 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the acquisition of 701 Lombard Street is exempt from the California Environmental Quality Act. (Clerk of the Board)

Motion No. M03-188

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

SPECIAL ORDER 4:00 P.M.

031552 **[Hearing - Acquisition of Property by Eminent Domain - 701 Lombard Street]**

Hearing of persons interested in or objecting to proposed resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Clerk of the Board)

(Companion measure to Files 031550, 031551, 031552.)

Elizabeth Goldstein, General Manager, Recreation and Park Department and Susan Hildreth, City Librarian reviewed with the Board reports and recommendations of their Departments.

Speakers:
Paul Scott, Pres. Telegraph Hill Dwellers; support of acquisition
Young girl; support of acquisition
Young girl; support of acquisition
Mr. and Mrs. Mikel Auuland; support of acquisition
Tom McDonagh; opposed to acquisition
Marc Bruno; support of acquisition
Rev. Norman Fong; support of acquisition
Hillary Kwong, Youth Commissioner; support of acquisition
Michael Ornstein; support of acquisition
Female Speaker; support of acquisition
Tom Noyes, Upper Noe Neighborhood; support of acquisition
Female Speaker; support of acquisition
Female Speaker; support of acquisition
Female Speaker; support of acquisition
Female Speaker; support of acquisition
Starchild, Libertarian Party; opposed to acquisition
David Lupo; support of acquisition
Davey Jones; opposed to acquisition
Male Speaker; support of acquisition
Jay Bradshaw; support of acquisition
Mathew Sheridan; opposed to acquisition
Michelle Justice; support of acquisition
Female Speaker; opposed to acquisition
Female Speaker; support of acquisition
Liz Napasindava; support of acquisition
Male Speaker; opposed of acquisition
Isabel Wade; PROSAC member, request to continue this matter
Nancy Wuerfel; support of acquisition
Andrew Resignato; support of acquisition
Nan Maguire; support of acquisition
Martha Woollomes; support of acquisition
Judy Mong; support of acquisition
Mike R.; support of acquisition
Greg O'Flynn; support of acquisition
Judy Irving; support of acquisition
Joe Olson, Coleman Advocates; support of acquisition
Sal Busalacchi; opposed to acquisition
Rosemary Benes; support of acquisition
Female Speaker; opposed to acquisition
Carolyn Blair; support of acquisition
Keith Wilson; opposed to acquisition
Stephen A. Worsley; opposed to acquisition
Female Speaker; opposed to acquisition
Mary Wallace; support of acquisition
George Douglas; support of acquisition
Margaret; support of acquisition

James Lew; opposed to acquisition
Joe Butler; support of acquisition
Mr. Shen; opposed to acquisition
Jason Bassel; support of acquisition
Donna Crowley; opposed to acquisition, speaking on behalf of herself
Male Speaker; support of acquisition
Lynn Jefferson; opposed to acquisition
Abdullah Megaheed; opposed to acquisition
Melanie Clark; support of acquisition
Linda; opposed to acquisition
Dan Magnireno; support of acquisition
Mike Roddy; opposed of acquisition
Zach Stewart; support of acquisition
Moira SMith; opposed to acquisition
Elizabeth Diaz; support of acquisition
Nancy Barsichini; opposed to acquisition
Male Speaker; support of acquisition
Joe O'Donoughue; opposed to acquisition
Jill Fox, District 10, PROSAC member; request to continue this matter until PROSAC considers this matter
Liz Moore; opposed to acquisition
Ronald Sawyer; support of acquisition
Rita O'Hara; opposed to acquisition
Rebecca Peters; support of acquisition
Male Speaker; opposed to acquisition
Mark Schwartz; support of acquisition
Mike Morley; opposed to acquisition
Jean Milligan; support of acquisition
Rick Carroll; opposed to acquisition
Jennifer Dejourni; support of acquisition
Male Speaker; opposed to acquisition
Nicholas Carlin; support of acquisition
Grace Shanahan; opposed to acquisition
Christine Kupplar; support of acquisition
Richard Harty; opposed to acquisition
John Dowling; support of acquisition
James Gallagher; opposed to acquisition
Mr. and Mrs. Bobby Glennon; support of acquisition
Jim Keith; opposed to acquisition
Dennis Carlin; opposed to acquisition
Thomas Egan; opposed to acquisition
Steve Cooney; opposed to acquisition
Lou Urbano; opposed to acquisition
Tom Weiss; support of acquisition
Angus McCarthy; opposed to acquisition
Dawn Bernhardt; support of acquisition
Kieran Buckley; opposed to acquisition
Jerry Augusta; opposed to acquisition
Mrs. O'Flynn, opposed to acquisition
Rick Hills; opposed to acquisition
Mark Brennan; opposed to acquisition
Ann Brennan; opposed to acquisition
Mr. O'Keefe; opposed to acquisition
Andrew Smith; opposed to acquisition
Male Speaker; opposed to acquisition
Redman Lyons; opposed to acquisition
Mary Lipian; support of acquisition

Eileen Long; opposed of acquisition
Sean Gorman; opposed to acquisition
Ella Simpson, Libertarian Party, opposed to acquisition
Brian Magee; opposed to acquisition
Ann; opposed to acquisition
Declan White; opposed to acquisition
Leo Cassidy; opposed to acquisition
Mya Arneau; support to acquisition
Male Speaker; opposed to acquisition
Male Speaker; support of acquisition
Keith Sangus; support of acquisition
Brian O'Flynn, owner of 701 Lombard Street; opposed to acquisition
Brad Willmore; support of acquisition
Arthur Chang; Member of PROSAC
Gerry Crowley; Past President, Telegraph Hill Association, support of acquisition
Male speaker; support of acquisition
Daniel Cuneo; support of acquisition
MaryJoEllen; support of acquisition
Sandra Tak; support of acquisition
Julie Christiansen; support of acquisition
Tom Coyne; opposed to acquisition
Joe Cassidy; opposed to acquisition
Susan Whiteman; support of acquisition
Martin Coyne, owner of 701 Lombard Street; opposed to acquisition
Sean Keighran; opposed to acquisition
Alice Barkley; attorney for appellant; opposed to acquisition

Supervisors Ammiano, Daly, McGoldrick, and Sandoval were noted absent at 6:15 p.m.
Supervisor Daly noted present at 6:20 p.m.
Supervisor Daly noted absent at 6:45 p.m.
Supervisor Gonzalez noted absent at 7:01 p.m.
Supervisor Daly noted present at 7:10 p.m.
Supervisor Ma noted absent at 7:10 p.m.
Supervisor Sandoval noted present at 7:14 p.m.
Supervisor Ma noted present at 7:23 p.m.
Supervisor Newsom noted absent at 7:45 p.m.
Supervisor Ammiano noted present at 8:29 p.m.
Supervisor Peskin noted absent at 8:28 p.m.
Supervisor Peskin noted present at 8:40 p.m.
Supervisor McGoldrick noted present at 8:45 p.m.
Supervisor Gonzalez noted present at 9:00 p.m.
Supervisor Newsom noted present at 9:10 p.m.

The President inquired if there was anyone else who wished to address the Board. There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**
Supervisor Peskin

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

Continued to November 25, 2003

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Newsom

SPECIAL ORDER 5:30 P.M.

(This matter may be continued.)

031631 **[Public Hearing - Appeal, Final EIR for the 300 Spear Street Project]**
Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2000.1090E, dated September 4, 2003, for the proposed project at 300 Spear Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and the BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031632, 031633, 031634.)

Continued to November 18, 2003

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 4 - Ammiano, Daly, McGoldrick, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031632 **[Affirm certification of final environmental impact report for the 300 Spear Street Project]**

Motion affirming the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 4 - Ammiano, Daly, McGoldrick, Sandoval

031633 **[Reverse certification of final environmental impact report for the 300 Spear Street Project]**

Motion reversing the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 4 - Ammiano, Daly, McGoldrick, Sandoval

031634 **[Preparation of findings to reverse certification of the of final environmental impact report for the 300 Spear Street Project]**

Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 4 - Ammiano, Daly, McGoldrick, Sandoval

SPECIAL ORDER 7:00 P.M.

(This matter may be continued.)

031627 **[Public Hearing - Appeal, Final EIR for the 201 Folsom Street Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2002.1073E, dated September 4, 2003, for the proposed project at 201 Folsom Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031628, 031629, 031630.)

Continued to November 18, 2003

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031628 **[Affirm certification of final environmental impact report for the 201 Folsom Street Project]**

Motion affirming the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval

031629 **[Reverse certification of final environmental impact report for the 201 Folsom Street Project.]**

Motion reversing the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval

031630 **[Preparation of findings to reverse certification of the of final environmental impact report for the 201 Folsom Street Project.]**

Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

Continued to November 18, 2003

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval

SPECIAL ORDER 8:30 P.M.

031636 **[Public Hearing - Appeal, Conditional Use - 5630-38 Mission Street]**

Hearing of persons interested in or objecting to the decision of Planning Commission by its Motion No. 16639 dated August 28, 2003, approving Conditional Use Application No. 2003.0376C pursuant to Section 711.83 of the Planning Code, and subject to certain conditions, to allow the installation of six (6) panel antennas and one (1) GPS antenna on the rooftop and associated equipment cabinets within the storage room of the Mission Inn Motel, as part of a wireless telecommunications network operated by Verizon Wireless in a NC-2 (Small-Scale Neighborhood Commercial District), and a 40-X-Height and Bulk District, on property located at 5630-38 Mission Street, between Naglee and Whipple Avenues; Lot 012, in Assessor's Block 7098.

(Appeal filed September 25, 2003; categorically exempt from the environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 031637, 031638, 031639; District 11.)

Continued to October 28, 2003

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 4 - Daly, Gonzalez, McGoldrick, Newsom

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031637 **[Appeal, Conditional Use, 5630-38 Mission Street]**

Motion approving decision of the Planning Commission by its Motion No. 16639 approving Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to October 28, 2003

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 4 - Daly, Gonzalez, McGoldrick, Newsom

031638 **[Appeal, Conditional Use, 5630-38 Mission Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16639 approving Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to October 28, 2003

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 4 - Daly, Gonzalez, McGoldrick, Newsom

031639 **[Findings - 5630-38 Mission Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to October 28, 2003

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 4 - Daly, Gonzalez, McGoldrick, Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bob Planthold; motorcycle parking legislation
Edward Evans; motorcycle parking legislation
Roger Brandwin; hotel on Mission Street issues
Robert; general issues
Vernon Jenkins; general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor Daly noted absent at 3:00 p.m.

031719 **[Commending the Mission Council]**
Supervisor Daly

Resolution commending the Mission Council for 25 years of delivering culturally competent, community-based services to the people of San Francisco.

Resolution No. 709-03
ADOPTED

031720 **[Proclaiming October 2003 Potrero Hill Month]**
Supervisor Maxwell

Resolution proclaiming October 2003 "Potrero Hill Month" in the City and County of San Francisco.

Resolution No. 710-03
ADOPTED

031722 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-189
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

Severed from Without Reference to Committee Agenda

Supervisors Hall and Sandoval requested that this matter be severed so that it could be considered separately.

031673 **[Urging Governor Davis to sign Senate Bill 2]**
Supervisor Sandoval

Resolution urging Governor Davis to sign Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.

Supervisor Sandoval, seconded by Supervisor Maxwell, moved an amendment of the whole.
AMENDED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Daly, Hall

Resolution commending Governor Davis for signing the Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.

Resolution No. 708-03
ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Daly, Hall

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

031718 **[Supporting Immigrant Pride Day 2003 in the City & County of San Francisco]**
Supervisor Gonzalez

Resolution waiving the fees associated with Immigrant Pride Day for the San Francisco Police Department and the San Francisco Fire Departments and urging the Municipal Transportation Agency to join with the City and waive their fees in support of Immigrant Pride Day.

Supervisor Gonzalez requested that this matter be referred to Committee.
REFERRED to the City Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031739 **[Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisor Daly

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/20/2003.

031747 **[Revising permit fee and planning review surcharges applicable to permits and review activities subject to review by the Board of Appeals]**
Supervisor Peskin

Ordinance amending the Administrative Code by amending Section 10G.1 to correct erroneous Planning and Building Code citations, revising permit surcharges on permits issued by the Department of Building Inspection, the Taxi Commission, the Police Department and the Department of Public Works permits where such permits are subject to appeal before the Board of Appeals, revising the surcharge on fees imposed by the Planning Department for review of permits where such permits are subject to appeal before the Board of Appeals, and making environmental findings.

10/21/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031655 **[Post-Employment Restrictions for Former City Employees]**
Supervisor Newsom

Ordinance adding Chapter 8, Activities of Former Officers and Employees, to Article III of the Campaign and Governmental Conduct Code; moving section 3.545 of the Campaign and Governmental Conduct Code to section 3.800; and adding prohibitions to prevent former City employees, for a period of two years, from communicating on behalf of any other person or entity, other than the City and County of San Francisco, with an elected public official who was the former employee's appointing authority or City employees who are current appointees of that appointing authority.

9/30/03, RECEIVED AND ASSIGNED to Rules Committee.

10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.

031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisor Newsom

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

9/30/02, RECEIVED AND ASSIGNED to Rules Committee.

10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.

020585 **[Establishing a Library Citizens Advisory Committee]**
Supervisor McGoldrick

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 24, Section 5.240, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

Resolutions

031738 **[Contracting out Budget Analyst Services]**

Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees. (Clerk of the Board)

10/21/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031746 **[Accept-Expend State Grant]**
Mayor, Supervisors McGoldrick, Maxwell, Sandoval, Newsom

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of $199,204 from the California Office of Traffic Safety for improving school area traffic safety.

(No Public Benefit Recipient.)

10/21/03, RECEIVED AND ASSIGNED to Land Use Committee.

031748 **[Installing City-owned broadband facilities in conjunction with the City's planned rebuild its sewer system]**
Supervisor Ammiano

Resolution urging the Department of Telecommunications and Information Services, the Public Utilities Commission, the Department of Public Works, and the Mayor's Office of Public Finance to evaluate the costs, benefits, and technical issues associated with installing broadband facilities when the City and County of San Francisco conducts its planned rebuild of its sewer system, to enable the City and County of San Francisco to increase the availability of bandwidth for telecommunications, cable, and information services.
10/21/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031753 **[Authorize the City and County of San Francisco's application to host the United Nations' World Environment Day 2005]**
Supervisor Dufty

Resolution authorizing San Francisco to apply to host United Nations' World Environment Day celebrations in 2005 and, if selected, designating SF Environment to work with other City departments to coordinate a host committee that will ensure the programmatic, financial, and educational success of the event.
10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031754 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor Gonzalez

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to require that all retail uses in C-2, C-M, M-1, M-2, RSD, SLR, SLI, SSO, and SPD zoning districts which are 50,000 square feet or larger may only be permitted as conditional uses.
10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031755 **[Humanities West Day]**
Supervisor Ma

Resolution declaring November 21, 2003 to be "Humanities West Day" in the City and County of San Francisco.
10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031756 **[Robert Louis Stevenson Elementary School Day]**
Supervisor Ma

Resolution declaring November 13, 2003 to be "Robert Louis Stevenson Elementary School Day" in the City and County of San Francisco.
10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031757 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**
Supervisor Ma

Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack.

10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031758 **[Commending Kathleen Vasquez]**
Supervisor Maxwell

Resolution commending Kathleen Vasquez for winning the Milken National Educator's Award.

10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031759 **[Urging U.S. Senators Dianne Feinstein and Barbara Boxer to fully fund Section 8]**
Supervisors Ammiano, Daly

Resolution urging U.S. Senators Dianne Feinstein and Barbara Boxer to fully fund the Section 8 voucher program, so that all current recipients may preserve their housing and those on the waiting list may receive new vouchers in the coming fiscal year.

10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031760 **[Shelter Workers]**
Supervisors Ammiano, Daly

Resolution urging the Mayor's Budget Office, in consultation with the Controller, the Director of Public Health, the Director of Human Services and the Mayor's Office of Homelessness, to identify cost-savings necessary to develop funding for employee compensation negotiations between City-funded non-profit agencies and employee bargaining units representing shelter workers.

10/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031514 **[Authorizing transfer of funds and management oversight from DPW to MOCD]**
Supervisor Gonzalez

Resolution authorizing transfer of $475,000 and management oversight of two City accessibility projects from the Department of Public Works to the Mayor's Office of Community Development for inclusion in City's CDBG Program in order to satisfy HUD's demand for City reimbursement relating to the improper use by the Third Street Economic Development Corporation of $51,706 in grant funds at 5048 Third Street.

8/26/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/16/03, ASSIGNED to Finance and Audits Committee.

9/16/03, REFERRED to Finance and Audits Committee.

10/21/03, ASSIGNED to Finance and Audits Committee.

10/21/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute resolution bearing new title.

Requests for Hearings

031740 **[Current Status of Instant Runoff Voting in San Francisco]**
Supervisor Gonzalez

Hearing to discuss the current status of Instant Runoff Voting in San Francisco on Election Systems and Software's compliance with their contract and their efforts to gain certification with state and federal authorities.
10/21/03, RECEIVED AND ASSIGNED to Rules Committee. October 15, 2003 Memo from Department of Elections received.

031741 **[Transbay Redevelopment Draft Plan]**
Supervisor McGoldrick

Hearing on the Transbay Redevelopment Draft Plan.
10/21/03, RECEIVED AND ASSIGNED to Land Use Committee.

031742 **[Rincon Hill Draft Plan]**
Supervisor McGoldrick

Hearing on the Rincon Hill Draft Plan.
10/21/03, RECEIVED AND ASSIGNED to Land Use Committee.

031744 **[Use of Federal EPSDT funding]**
Supervisor Dufty

Hearing on the use of Federal EPSDT funding (Early Prevention, Screening, Detection, and Treatment) to expand adolescent substance abuse treatment and services. This hearing will consider the potential use of these EPSDT funds to leverage needed expansion of services to adolescents.
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031745 **[Compensation and contract for MTA Director Michael Burns.]**
Supervisor Gonzalez

Hearing to discuss decisions made by the Municipal Transportation Agency (MTA) related to the compensation and contract for MTA Director Michael Burns.
10/21/03, RECEIVED AND ASSIGNED to Rules Committee.

Motions

031749 **[Legislative Analyst Request - Practices and policies for processing invoices and payments on City contracts]**
Supervisors Ma, Maxwell

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast San Francisco's current practices and policies for processing invoices and payments on City contracts to model municipalities (cities and/or counties), the State of California, and the San Francisco International Airport. In addition, the OLA should review and consider the feasibility of implementing a successful system in San Francisco.
10/21/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 28, 2003.

031750 **[Legislative Analyst Request - Cable Franchises]**
Supervisor Sandoval

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley and Santa Cruz to find out whether they have used outside contractors or consultants to negotiate cable franchises. Also requesting the Legislative Analyst to consult with the Department of Telecommunication and Information Services, Zane Blaney of AccessSF, and Office of Supervisor Sandoval for the report and to deliver this report by November 14, 2003.

10/21/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 28, 2003.

031751 **[Legislative Analyst Request - Homebuyer assistance]**
Supervisors Sandoval, Daly, Hall

Motion requesting the Legislative Analyst to survey other jurisdictions regarding down payment assistance programs for first time homebuyers and to consult with the City Attorney's Office and the Mayor's Office of Housing regarding the feasibility and effectiveness of a down payment assistance program. Also requesting the Legislative Analyst to evaluate current homebuyer assistance programs and deliver report by November 14, 2003.

10/21/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 28, 2003.

031723 **[Appointment, Public Utilities Commission]**

Motion approving the Mayor's appointment of Andrew Lee to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date – October 16, 2003.

10/21/03, RECEIVED AND ASSIGNED to Rules Committee. 10/29/03 - Received communication from Mayor Willie L. Brown, Jr. withdrawing his nomination of Andrew Lee to the Public Utilities Commission.

031724 **[Appointment, Public Utilities Commission]**

Motion rejecting the Mayor's appointment of Andrew Lee to the Public Utilities Commission.

10/21/03, RECEIVED AND ASSIGNED to Rules Committee. 10/29/03 - Received communication from Mayor Willie L. Brown, Jr. withdrawing his nomination of appointment of Andrew Lee to the Public Utilities Commission.

031725 **[Appointment, Public Utilities Commission]**

Motion taking no position concerning the Mayor's appointment of Andrew Lee to the Public Utilities Commission, for term ending January 15, 2004.

10/21/03, RECEIVED AND ASSIGNED to Rules Committee. 10/29/03 - Received communication from Mayor Willie L. Brown, Jr. withdrawing his nomination of appointment of Andrew Lee to the Public Utilities Commission.

PROPOSED ORDINANCES

031694 **[Traffic Code - Amending Section 32.1.1 to update location of Main Public Library]**
Ordinance amending Section 32.1.1 of the San Francisco Traffic Code. (Parking and Traffic Department)

(No Public Benefit Recipient.)
10/1/03, RECEIVED AND ASSIGNED to Land Use Committee.
10/15/03, ASSIGNED to Land Use Committee.
10/15/03, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.

031695 **[Changing Official Width of Sidewalk]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1561 to change the official sidewalk width on the south side of Market Street west of Third Street; making findings pursuant to the General Plan; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)
9/30/03, RECEIVED AND ASSIGNED to Land Use Committee.

031697 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Lynn Andrews against the City and County of San Francisco for $75,000; the lawsuit was filed on July 18, 2002 in San Francisco Superior Court, Case No. 410-430; entitled Lynn Andrews v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
10/9/03, RECEIVED AND ASSIGNED to Rules Committee.

031690 **[Settlement Of Lawsuit]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for $1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds. (City Attorney)
10/10/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

031662 **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Fireman's Fund Insurance Company and Richard Dennes against the City and County of San Francisco.

(Public Benefit Recipient.)
10/3/03, RECEIVED AND ASSIGNED to Rules Committee.

031691 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Le Conte and Meade Avenues, stopping both streets, making this intersection an All-Way STOP;

Teddy Avenue and Alpha Street, stopping Teddy Avenue at Alpha Street, making this intersection an All-Way STOP;

Leland Avenue and Peabody Street, stopping Leland Avenue and Peabody Street, making this uncontrolled T-intersection an All-Way STOP;

Broadway and Jones Street, stopping Jones Street, making this intersection an All-Way STOP;

Benton Avenue and Genebern Way, stopping westbound Benton Avenue at Genebern Way;

26th Avenue and Moraga Street, stopping 26th Avenue, making this intersection an All-Way STOP;

25th and Mississippi Streets, stopping both streets, making this uncontrolled T-intersection an All-Way STOP;

20th Avenue and Quintara Street, stopping Quintara Street traffic at 20th Avenue, making this intersection an All-Way STOP; and

Harney Way at Alana Way and Thomas Mellon Drive, stopping eastbound Harney Way Left Turn onto Alana Way. (Parking and Traffic Department)

9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2692; No Public Benefit Recipient.)

10/1/03, RECEIVED AND ASSIGNED to Land Use Committee.

031692 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT - ESTABLISH
Paul Avenue, eastbound, at Bayshore Boulevard.

CROSSWALK - RESCIND
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, south side, at Oakdale Avenue.

CROSSWALK - ESTABLISH
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, north side.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH
3rd Street, northbound, at Townsend Street.

NO LEFT TURN - ESTABLISH
Woodside Avenue, eastbound, onto Youth Guidance Center/Laguna Honda Hospital access road.

NO LEFT TURN - ESTABLISH
Woodside Avenue, westbound, onto Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, west side, at Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, east side, at the Youth Guidance Center/Laguna Honda access road.

NO LEFT TURN, 7:00 AM to 9:00 AM AND 4:00 PM TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
NO LEFT TURN - ESTABLISH
Judah Street, westbound at 17th Avenue. (Parking and Traffic Department)

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2692; No Public Benefit Recipient.)
10/1/03, RECEIVED AND ASSIGNED to Land Use Committee.

031693 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Funston Avenue, west side, between California and Clement Streets (200 block).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Sloat Boulevard, south side, from 20th Avenue to 100 feet easterly (300 block); and
20th Avenue, both sides, between Sloat Boulevard and Ocean Avenue (2900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fulton Street, south side, at 6th Avenue (accommodates 3 unmetered parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
States Street, north side, from Corona Heights Playground to a point 26 feet westerly.

(9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2692; No Public Benefit Recipient.)
10/1/03, RECEIVED AND ASSIGNED to Land Use Committee.

031696 **[Lease of Property]**
Resolution authorizing a 25-year Lease of San Francisco Public Utilities Land between the City and County of San Francisco and Sunol Valley Golf & Recreation Co., in Alameda County. (Public Utilities Commission)

(Fiscal impact; Public Benefit Recipient.)
10/1/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031698 **[Approval of the Amended Ground Lease for the Rincon Park Restaurants Project]**
Resolution approving the Amended Ground Lease between the Port Commission and JMA Waterfront Properties, LLC, a Delaware limited liability company, for the Rincon Park Restaurants Project, located on The Embarcadero between Howard and Folsom Streets, for a total term, including renewal options, of sixty years. (Port)

(Public Benefit Recipient.)
10/3/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031716 **[Airport Lease Disposition and Development Agreement and Lease]**
Resolution approving the Lease Disposition and Development Agreement and Lease of Plot 9 between Airis SFO, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)
10/10/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Maxwell
To: Planning Department
Requesting/Inquiring: Inquiring if the Department, in the development of its plans for lower Potrero/Showplace Square and the Mission, is working with the Department of Public Health for an economic and social analysis of the impacts of the various zoning proposals and the San Francisco County Transportation Authority to develop a plan for transit and overall transportation focused on the 16th Street corridor.

From: Supervisors McGoldrick, Ma
To: City Attorney
Requesting/Inquiring: To write an Ordinance that creates a one-year moratorium on all Recreation and Park Department acquisitions except those in "high need areas" as identified by the General Plan, until a proper policy and framework for making open space decisions is prepared and approved by the Commission and the Board of Supervisors.

From: Supervisor Sandoval
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring about the feasibility of installing a "No U-Turn" sign on Alemany Blvd (heading southbound) at Santa Rosa Street in front of Corpus Christi school to improve pedestrian safety and decrease vehicular accidents.

From: Supervisor Sandoval
To: Director of Recreation and Park Department
Requesting/Inquiring: Requesting an update on capital developments for Brooks Park. The department should state the amount of money designated for capital developments at Brooks Park and provide a detailed timeline of construction at the park.

Also requesting clerk to send a copy of this letter and its response to:

Isabel Wade
Neighborhood Parks Council
783 Buena Vista West
San Francisco, CA 94117

From: Supervisor Sandoval
To: Director of Recreation and Park Department
Requesting/Inquiring: Requesting information about the status of the Geneva Avenue Community Garden located at the corner of Geneva Avenue and Delano Street. The department should detail the history of garden, previous and current resources designated for the maintenance of the garden, and future plans for development of the garden. The department should also gather community input about the future development of this parcel

Also requesting clerk to send a copy of this letter and its response to:

Isabel Wade
Chair, PROSAC
Neighborhood Parks Council
783 Buena Vista West
San Francisco, CA 94117

From: Supervisor Sandoval
To: Director of Recreation and Park Department
Requesting/Inquiring: Requesting information about the status of acquiring property on the north side of Brotherhood Way at Chester Street for the Chester Street Mini Park. The department should include the estimated cost of acquisition and a comparison of the cost of similar undeveloped parcels in the area in its response.

Also requesting clerk to send a copy of this letter and its response to:

Isabel Wade
Chair, PROSAC
Neighborhood Parks Council
783 Buena Vista West
San Francisco, CA 94117

In Memoriams

Robert Landis (Supervisors Dufty, Ma, Sandoval)
Michael Driscoll (Supervisor Hall)
Hugh Smith (Supervisor Hall)
Chester H. Yee (Supervisor Ma)
Faith Fancher (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 10:37 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 18, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

SF
590
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10/28/03
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Tuesday, October 28, 2003 2:00 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DOCUMENTS DEPT.

JAN 13 2004

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MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Newsom, Sandoval - 3

Quorum present.

Supervisor Sandoval was noted present at 2:12 p.m.
Supervisor Newsom was noted present at 2:16 p.m.
Supervisor Ammiano was noted present at 2:24 p.m.

CONSENT AGENDA

Recommendations of the Rules Committee

031736 **[Appointment]**
Resolution appointing Joe LaTorre, term ending December 22, 2003 to the Lead Hazard Reduction Citizens Advisory Committee. Residency requirement waived.

Joe LaTorre, residency requirement waived, succeeding Linda Salas, resigned, Seat No. 6, must be a representative involved in housing and community development issues from the Mayor's Office, for the unexpired portion of a four-year term ending December 22, 2003.

Resolution No. 718-03
ADOPTED

031642 **[Settlement of Lawsuit - Marie Lavin]**
Ordinance authorizing settlement of the lawsuit filed by Marie Lavin against the City and County of San Francisco for $200,000; the lawsuit was filed on December 5, 2001, in the San Francisco Superior Court, Case No. 402019, entitled Marie Lavin v. City and County of San Francisco, Adult Probation Department. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

Recommendations of the Finance and Audits Committee

031658 **[Appropriate State and Federal funding for the CalWORKs, Medi-Cal, IHSS and Foster Care programs]**
Mayor

Ordinance appropriating $2,399,795 of CalWORKs, Medi-Cal, IHSS and Foster Care funding to fill 28.67 vacant FTEs including deletion of 9.38 FTEs and creation of 9.38 FTEs, purchase one-time materials and supplies, and provide stipends to emancipated foster youth for the Department of Human Services and amending Annual Salary Ordinance for Fiscal Year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Ordinance No. 257-03
FINALLY PASSED

031659 **[Public Employment]**
Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2003/04) reflecting the abolishment of 14 positions (9.38 FTEs) and the creation of 14 positions (9.38 FTEs) at the Department of Human Services. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)

Ordinance No. 258-03
FINALLY PASSED

Recommendation of the Land Use Committee

031608 **[Taxicab Gate Fees]**
Supervisor Hall

Ordinance amending Section 1135.1 of the Police Code to provide for extending to March 1, 2004 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a long-term lease fee cap covering long-term lease drivers and an ordinance establishing a program of health insurance/health benefits for taxi drivers; and to authorize the Board of Supervisors by resolution to extend the times provided for in Section 1135.1 for sunsetting the higher gate fee cap.

Ordinance No. 256-03
FINALLY PASSED

Recommendation of the Rules Committee

031457 **[Introducing General Obligation Bond proposals 168 days before election]**
Supervisor Gonzalez

Ordinance amending Section 2.31 of the Administrative Code to require that resolutions of necessity for proposed general obligation bonds must be introduced at the Board of Supervisors not less than 168 days before the election at which the voters could consider the proposed bond measure, rather than 169 days before the election.

Ordinance No. 255-03
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

031762 **[Adopting findings related to the appeal of the CEQA exemption determination by the Planning Department for 701 Lombard]**
Motion adopting findings related to the appeal of the determination by the Planning Department that the acquisition of 701 Lombard Street was exempt from the California Environmental Quality Act.

(Companion measure to Files 031686, 031687, 031688, 031689.)

Motion No. M03-191
APPROVED by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Newsom

Recommendation of the Finance and Audits Committee

030869 **[Tobacco Sales Permit]**
Supervisors Maxwell, Ammiano, Daly, Dufty, McGoldrick, Sandoval

Ordinance amending the San Francisco Health Code by adding Article 19H to require a permit for tobacco sales and amending the San Francisco Business and Tax Regulations Code by adding section 249.16 to set the fee for the tobacco sales permit.

Ordinance No. 254-03
FINALLY PASSED by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Absent: 2 - Ammiano, Newsom

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Supervisor Bevan Dufty Excused From Voting

Supervisor Daly, seconded by Supervisor Peskin, moved to excuse Supervisor Dufty, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Dufty

031517 **[Agreement to Sell 418-420 Jessie Street]**
Supervisors Dufty, Daly, Hall

Resolution approving and authorizing an agreement with Martin McNerney Development, Inc. dba Martin Building Company, Inc. for the sale of real property consisting of a former fire station on the first and second floors and vacant warehouse space on the upper six floors, for a purchase price of $2,900,000; finding that competitive bidding is impractical or impossible; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as cosponsor
Supervisor Hall requested to be added as cosponsor

Resolution No. 711-03
ADOPTED by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Dufty

031514 **[Authorizing transfer of funds and management oversight from DPW to MOCD]**
Supervisor Gonzalez

Resolution authorizing transfer of management oversight of two City accessibility projects from the Mayor's Office of Disability and the Health Department to the Mayor's Office of Community Development for inclusion in City's CDBG Program in order to satisfy HUD's demand for City reimbursement relating to the improper use by the Third Street Economic Development Corporation of $51,706 in grant funds at 5048 Third Street.

Resolution No. 712-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031538 **[Contracting out Airport Employee Parking Services]**
Resolution approving the Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Resolution No. 713-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

031539 **[Contracting out Airport Public Parking Management Services]**
Resolution approving the Controller's certification that Airport Public Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Resolution No. 714-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Rules Committee

Supervisor Jake McGoldrick Excused From Voting

Supervisor Daly, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

031734 **[Appointment - California State Association of Counties]**
Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2004, to the California State Association of Counties Board of Directors.

Resolution No. 716-03
ADOPTED by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

Supervisor Gerardo Sandoval Excused From Voting

Supervisor Maxwell, seconded by Supervisor Dufty, moved to excuse Supervisor Sandoval from voting on this matter. The motion carried by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 2 - Ammiano, McGoldrick
Excused: 1 - Sandoval

031735 **[Appointment - California State Association of Counties]**
Resolution appointing Supervisor Gerardo Sandoval, term ending November 28, 2004, as an alternate member to the California State Association of Counties Board of Directors.

Resolution No. 717-03
ADOPTED by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Absent: 2 - Ammiano, McGoldrick
Excused: 1 - Sandoval

Recommendation of the Rules Committee "Do Submit"

031778 **[Charter Amendment - Supplemental Compensation for Employees on Military Leave]**
Supervisors Newsom, Hall

Charter amendment (First Draft) to amend Section A8.400 (h) to allow for employees called to active duty to receive supplemental compensation for a period to be specified by ordinance.

Continued to November 4, 2003.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Rules Committee "Without Recommendation"

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Third Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Charter Amendment be AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Charter amendment (Fourth Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)

Continued to November 4, 2003 with the Board Sitting as a Committee of the Whole.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:16 p.m.

Reconvening of the Board

The Board at the hour of 4:04 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin - 7

Quorum present.

Supervisor Sandoval was noted present at 4:05 p.m.
Supervisor Ammiano was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.

031636 **[Public Hearing - Appeal, Conditional Use - 5630-38 Mission Street]**
Hearing of persons interested in or objecting to the decision of Planning Commission by its Motion No. 16639 dated August 28, 2003, approving Conditional Use Application No. 2003.0376C pursuant to Section 711.83 of the Planning Code, and subject to certain conditions, to allow the installation of six (6) panel antennas and one (1) GPS antenna on the rooftop and associated equipment cabinets within the storage room of the Mission Inn Motel, as part of a wireless telecommunications network operated by Verizon Wireless in a NC-2 (Small-Scale Neighborhood Commercial District), and a 40-X-Height and Bulk District, on property located at 5630-38 Mission Street, between Naglee and Whipple Avenues; Lot 012, in Assessor's Block 7098.

(Appeal filed September 25, 2003; categorically exempt from the environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 031637, 031638, 031639; District 11.)

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Hearing be TABLED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

From the Clerk

(Only one of the following two motions should be adopted.)

031637 **[Appeal, Conditional Use, 5630-38 Mission Street]**

Motion approving decision of the Planning Commission by its Motion No. 16639 approving Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

031638 **[Appeal, Conditional Use, 5630-38 Mission Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16639 approving Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

031639 **[Findings - 5630-38 Mission Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0376C, on property located at 5630-38 Mission Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

COMMITTEE REPORTS

Recommendation of the City Services Committee

031711 **[Supporting European Union Efforts to Regulate Hazardous Chemicals]**
Supervisors McGoldrick, Ma

Resolution supporting efforts in the European Union to institute an effective new policy for regulating hazardous chemicals.

Amendment of the whole bearing same title.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution No. 715-03

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

PUBLIC COMMENT

Abdullah Megaheed; various comments regarding the homeless
Richard Robinson; concerns regarding shelter issues
Fredrick Hobson; concerns regarding human needs
Jack Dodson; housing issues
Dave; quality of life issues
Vernon Jenkins; general comments regarding past politicians
Natalie Naylor, Local 3; support item #35, shelter workers
Jeff Kiefer; support shelter workers
Darryl Cornelius; residential facility for homeless workers need increase in salary
Connie Ford, Local 3; support for item #35
Stephanie Champion, Youth Commission; mock election at schools in City

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

031749 **[Legislative Analyst Request - Practices and policies for processing invoices and payments on City contracts]**
Supervisors Ma, Maxwell

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast San Francisco's current practices and policies for processing invoices and payments on City contracts to model municipalities (cities and/or counties), the State of California, and the San Francisco International Airport. In addition, the OLA should review and consider the feasibility of implementing a successful system in San Francisco.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 1 - Peskin

031750 **[Legislative Analyst Request - Cable Franchises]**
Supervisor Sandoval

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley and Santa Cruz to find out whether they have used outside contractors or consultants to negotiate cable franchises. Also requesting the Legislative Analyst to consult with the Department of Telecommunication and Information Services, Zane Blaney of AccessSF, and Office of Supervisor Sandoval for the report and to deliver this report by November 14, 2003.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031751 **[Legislative Analyst Request - Homebuyer assistance]**
Supervisors Sandoval, Daly, Hall

Motion requesting the Legislative Analyst to survey other jurisdictions regarding down payment assistance programs for first time homebuyers and to consult with the City Attorney's Office and the Mayor's Office of Housing regarding the feasibility and effectiveness of a down payment assistance program. Also requesting the Legislative Analyst to evaluate current homebuyer assistance programs and deliver report by November 14, 2003.

Supervisors Daly and Hall requested to be added as cosponsors.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031752 **[Congratulating the Judah L. Magnes Museum]**
Supervisor Sandoval

Resolution congratulating the Judah L. Magnes Museum on their 40th Anniversary.

Resolution No. 719-03
ADOPTED

031753 **[Authorize the City and County of San Francisco's application to host the United Nations' World Environment Day 2005]**
Supervisor Dufty

Resolution authorizing San Francisco to apply to host United Nations' World Environment Day celebrations in 2005 and, if selected, designating SF Environment to work with other City departments to coordinate a host committee that will ensure the programmatic, financial, and educational success of the event.

Resolution No. 720-03
ADOPTED

031754 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor Gonzalez

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to require that all retail uses in C-2, C-M, M-1, M-2, RSD, SLR, SLI, SSO, and SPD zoning districts which are 50,000 square feet or larger may only be permitted as conditional uses.

Resolution No. 721-03
ADOPTED

031755 **[Humanities West Day]**
Supervisor Ma

Resolution declaring November 21, 2003 to be "Humanities West Day" in the City and County of San Francisco.

Resolution No. 722-03
ADOPTED

031756 **[Robert Louis Stevenson Elementary School Day]**
Supervisor Ma

Resolution declaring November 13, 2003 to be "Robert Louis Stevenson Elementary School Day" in the City and County of San Francisco.

Resolution No. 723-03
ADOPTED

031757 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**
Supervisor Ma

Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack.

Resolution No. 724-03
ADOPTED

031758 **[Commending Kathleen Vasquez]**
Supervisor Maxwell

Resolution commending Kathleen Vasquez for winning the Milken National Educator's Award.

Resolution No. 725-03
ADOPTED

031759 **[Urging U.S. Senators Dianne Feinstein and Barbara Boxer to fully fund Section 8]**
Supervisors Ammiano, Daly

Resolution urging U.S. Senators Dianne Feinstein and Barbara Boxer to fully fund the Section 8 voucher program, so that all current recipients may preserve their housing and those on the waiting list may receive new vouchers in the coming fiscal year.

Supervisor Daly requested to be added as a cosponsor.

Resolution No. 726-03
ADOPTED

031760 **[Shelter Workers]**
Supervisors Ammiano, Daly

Resolution urging the Mayor's Budget Office, in consultation with the Controller, the Director of Public Health, the Director of Human Services and the Mayor's Office of Homelessness, to identify cost-savings necessary to develop funding for employee compensation negotiations between City-funded non-profit agencies and employee bargaining units representing shelter workers.

Supervisor Daly requested to be added as a cosponsor.

Resolution No. 727-03
ADOPTED

031732 **[Final Map for a 6 Unit Residential Condominium Project]**
Motion approving Final Map of 850 Corbett Avenue, a Residential Condominium Project, being a subdivision of Lot 7, Assessor's Block No. 2779, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,451; District 8.)

Motion No. M03-190
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031791 **[Special Use District to eliminate certain zoning requirements for residential uses in the Downtown consistent with a proposed ordinance to facilitate housing in the Downtown]**
Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006). The proposed Special Use District would eliminate floor area restrictions and maximum dwelling unit densities and would allow exceptions to the open space requirement and dwelling unit exposure requirements for new residential uses be granted through the process outlined in Planning Code Section 309. The proposed Special Use District would also increase the maximum height and bulk allowed in the district to 285-S, would require that residential projects be subject to the Inclusionary Housing Requirements found in Section 315(a)(2).
10/28/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/27/2003.

031792 **[Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]**
Supervisors Peskin, Daly

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible rent increases based upon a landlord's Operating and Maintenance petitions, so that the same landlord may not be granted more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.
10/28/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/27/2003.

031793 **[Financial Privacy]**
Supervisor Peskin

Ordinance amending Section 2000 of Article 20 of the Business and Tax Regulation Code, the "San Francisco Financial Information Privacy Ordinance," to postpone the date upon which Article 20 is set to become operative from January 1, 2004 to July 1, 2004.
10/28/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

031319 **[Approving ground lease to Music Concourse Community Partnership in connection with the construction and operation of an underground parking facility and amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority]**
Supervisors Peskin, Dufty, Sandoval

Resolution approving and authorizing the execution and delivery of a ground lease between the City and Music Concourse Community Partnership relating to the Golden Gate Park Music Concourse underground parking facility project; amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority; and requiring Music Concourse Community Partnership to provide or cause the provision of a guarantee of the remaining uncollected pledges.

(Fiscal impact.)
7/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
10/28/03, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing new title.
10/28/03, ASSIGNED to Finance and Audits Committee.

031802 **[Commending S.F. Youth Commission and the Youth Vote Coalition]**
Supervisors Newsom, Dufty, Daly, Ma

Resolution commending the San Francisco Youth Commission and the Youth Vote Coalition for successfully creating a forum via the 2003 Youth VOTE for students to voice their concerns and to educate their peers about current issues with a particular focus on those concerning the City's children and youth.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031803 **[2003 Native American Indian Heritage Month]**
Supervisors Newsom, Dufty

Resolution declaring the month of November as "Native American Indian Heritage Month" in the City and County of San Francisco.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031804 **[Earned Income Tax Credit Program Pre-Certification Requirements]**
Supervisors Newsom, Dufty, Hall

Resolution urging our federal representatives to ensure that eligibility requirements and application procedures for the federal Earned Income Tax Credit remain as streamlined as possible, and supporting efforts to study the feasibility of implementing a local credit for low- and moderate-income working families.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031805 **[Supporting House Joint Resolution 45]**
Supervisors Newsom, Ma, Peskin, Dufty

Resolution supporting House Joint Resolution 45, introduced by Congressman Mike Honda, which posthumously proclaims soldiers of Asian descent who fought in the Civil War to be honorary citizens of the United States.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031806 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certification of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

031794 **[City Contracting Task Force]**
Supervisor Maxwell

Hearing to review the recommendations of the City Contracting Task Force.
10/28/03, RECEIVED AND ASSIGNED to City Services Committee.

031795 **[Ethics Commission]**
Supervisor Peskin

Hearing on the Ethics Commission to determine the extent of influence, if any, of the regulated industry over the Commission management and to study ways in which the conduct of the Ethics Commission may be subjected to ongoing public scrutiny and peer review.
10/28/03, RECEIVED AND ASSIGNED to Rules Committee.

031796 **[Management audit of San Francisco International Airport's Airfield Development Bureau]**
Supervisor Peskin

Hearing regarding findings and recommendations included in the Budget Analyst management audit of San Francisco International Airport's Airfield Development Bureau.
10/28/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031797 **[Recreation and Park Department]**
Supervisor McGoldrick

Hearing on plans by the Recreation and Park Department to enter into partnerships with nonprofits to run programs in the City's Recreation Centers. This hearing will explore the Department's vision on how such partnerships would operate and be structured.
10/28/03, RECEIVED AND ASSIGNED to City Services Committee.

031798 **[Fire Station 33]**
Supervisor Sandoval

Hearing on the Fire Department's provision of emergency medical and fire suppression services to the Fire Station 33 district for the duration of the closure of Fire Station 33 for seismic retrofitting.
10/28/03, RECEIVED AND ASSIGNED to City Services Committee.

Charter Amendment

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly, Ma, Sandoval

Charter amendment (Fourth Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)
8/12/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/11/2003.
9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
9/30/03, ASSIGNED to Rules Committee. Referred to the Youth Commission on October 7, 2003.
10/7/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing same title.
10/7/03, ASSIGNED to Rules Committee.
10/28/03, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/28/03, CONTINUED. Continued to November 4, 2003 with the Board Sitting as a Committee of the Whole.

Motions

031800 **[Legislative Assistants]**
Supervisor Daly

Motion directing the Clerk of the Board of Supervisors to authorize filling vacancies in Board of Supervisors Legislative Offices immediately when a legislative assistant exercises her/his family leave rights and when legislative assistants depart with accrued vacation balances and directing the Clerk of the Board to introduce such appropriation measures as may be required to cover the costs of such temporary and/or permanent replacements.
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031801 **[Directing Budget Analyst to Undertake Analysis of Information related to Proposition N and/or "Real Housing, Real Care" Implementation Plans]**
Supervisor Daly

Motion directing the Office of Budget Analyst of the Board of Supervisors to analyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N and/or "Real Housing, Real Care."
10/28/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCE

031694 **[Traffic Code - Amending Section 32.1.1 to update location of Main Public Library]**
Ordinance amending Section 32.1.1 of the San Francisco Traffic Code to update the location of parking restrictions on the blocks adjacent to the San Francisco Main Library. (Parking and Traffic Department)

(No Public Benefit Recipient.)
10/1/03, RECEIVED AND ASSIGNED to Land Use Committee.
10/15/03, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.
10/15/03, ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031721 **[Research on club-drug networks among high-risk men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a supplemental grant award in the amount of $37,011 from the National Institute on Drug Abuse (NIDA) for research on club-drug networks among high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)
10/17/03, RECEIVED AND ASSIGNED to City Services Committee.

031730 **[Public Hearing]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)
10/20/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for November 25, 2003, at 4:00 p.m.

031731 **[Report of Assessment costs for sidewalk and curb repairs - DPW Order No. 174,392]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,392; Location: 690 Folsom Street.)
9/24/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for November 25, 2003, at 4:00 p.m.

031726 **[Amendment to Paratransit Broker Contract]**
Resolution approving Contract Amendment No. 3 to Paratransit Broker Agreement with ATC/Vancom, Inc., the City's Paratransit Broker, to increase the total amount of the Agreement to a sum not to exceed $92,641,933, in order to meet the increased demand and costs for paratransit service during the contract period. (Municipal Transportation Agency)

(Fiscal impact; Public Benefit Recipient.)
10/17/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031727 **[Street Encroachment at 151 24th Avenue]**
Resolution granting revocable permission to Edgar N. Bogas and Desiree Goyette-Bogas to occupy a portion of the public right-of-way to construct, install and maintain a portion of a new two car garage, including new concrete retaining walls, concrete stairs, concrete terrace, grading and landscaping, within the existing landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 151 24th Avenue (Block 1334, Lot 004) and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient.)
10/17/03, RECEIVED AND ASSIGNED to Land Use Committee.

031729 **[Street Artist Winter Holiday Spaces]**
Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2003, beginning on November 15, 2003 and ending on January 15, 2004. (Arts Commission)

(No Public Benefit Recipient.)
10/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To confirm that, as in Denver, Colorado, San Francisco can enact a local Earned Income Tax Credit absent a local income tax, and that San Francisco can use local revenue to provide once-a-year, lump sum payments to city residents meeting income, residency and family structure requirements.

From: Supervisor Daly
To: City Attorney
· 1.Require that the Mayor inform the Board of Supervisors prior to leaving the state about the length of the trip, location and purpose.
· 2. Require the Mayor designate the Acting Mayor in writing and provide this information to the Clerk of the Board of Supervisors, who shall promptly publish it on the Internet and inform all the City's emergency responders.
· 3. Require all members of the Board of Supervisors who could serve as Acting Mayor to receive appropriate and adequate disaster preparedness training.
· 4. Require the Acting Mayor to provide a written report of any actions taken to the Mayor upon his or her return.
· 5. Provide that any appointments made by an Acting Mayor be scheduled for public hearing before the Board of Supervisors for consideration.

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To study the feasibility of instituting 2 hour parking along the Judah Street corridor between 10th Avenue and 19th Avenue, as well as any other suggested parking suggestions that will benefit residents rather than commuters riding the N Judah. Please report back by December 10, 2003 on your findings.

From: Supervisor Hall
To: Director, Office of Emergency Services
Requesting/Inquiring: To analyze the Secondary Unit Legislation (File 021598) and determine what potential effect the legislation will have on your Department's ability to protect the City's public health, safety and welfare.

From: Supervisor Hall
To: Director, Fire Department
Requesting/Inquiring: To analyze the Secondary Unit Legislation (File 021598) and determine what potential effect the legislation will have on your Department's ability to protect the City's public health, safety and welfare.

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To analyze the Secondary Unit Legislation (File 021598) and determine what potential effect the legislation will have on the City's overall traffic flow, as well as the traffic flow in individual neighborhoods.

From: Supervisor Hall
To: Chief, Police Department
Requesting/Inquiring: To analyze the Secondary Unit Legislation (File 021598) and determine what potential effect the legislation will have on your Department's ability to protect the City's public health, safety and welfare.

From: Supervisor Hall
To: General Manager, Public Utilities Commission
Requesting/Inquiring: To analyze the Secondary Unit Legislation (File 021598) and determine what potential effect the legislation will have on the City's water and sewer services, both on an overall basis, as well as on a neighborhood basis.

In Memoriam

Roger Montgomery (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 4:09 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 25, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT

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Tuesday, November 4, 2003 2:00 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 98 Number 37

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, the following Supervisor Ammiano was noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Daly, moved to approve October 7, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

COMMUNICATIONS

Gloria L. Young, Clerk of the Board informed the Board members that the Clerk's Office was in receipt of correspondence from the Honorable Mayor Willie L. Brown, Jr., withdrawing his appointments to the Public Utilities Commission.

CONSENT AGENDA

Recommendations of the City Services Committee

031507 **[Accept-Expend Grant]**
Mayor, Supervisor Dufty

Resolution authorizing the Director of Emergency Services to accept and expend a grant in the amount of $771,317 from the California Governor's Office of Emergency Services for emergency equipment, exercises, and planning.

Resolution No. 729-03
ADOPTED

031660 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Traffic Safety for a project entitled California Seat Belt Compliance Campaign (CSBCC). (Mayor)

(No Public Benefit Recipient.)

Resolution No. 731-03
ADOPTED

031712 **[Accept - Expend Federal Grant]**
Mayor, Supervisor Dufty

Resolution authorizing the Mayor of the City and County of San Francisco to accept retroactively and expend a grant in the amount of $1,173,258 from the U.S. Department of Justice, Bureau of Justice Assistance to reduce crime and increase public safety, under the FY 2003 Local Law Enforcement Block Grants Program. (Mayor)

Resolution No. 732-03
ADOPTED

Recommendation of the Rules Committee

031642 **[Settlement of Lawsuit - Marie Lavin]**
Ordinance authorizing settlement of the lawsuit filed by Marie Lavin against the City and County of San Francisco for $200,000; the lawsuit was filed on December 5, 2001, in the San Francisco Superior Court, Case No. 402019, entitled Marie Lavin v. City and County of San Francisco, Adult Probation Department. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 259-03
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

From the Rules Committee With Recommendation "Do Submit"

031778 **[Charter Amendment - Supplemental Compensation for Employees on Military Leave]**
Supervisors Newsom, Hall

Charter amendment (First Draft) to amend Section A8.400 (h) to allow for employees called to active duty to receive supplemental compensation for a period to be specified by ordinance.

ORDERED SUBMITTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

NEW BUSINESS

Recommendation of the City Services Committee

031381 **[Liquor License Transfer, 688 Geary Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 2800 Leavenworth Street to 688 Geary Street (District 6), to Greg Lindgren and Jon Gasparini for "Club Eclipse", will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 728-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Land Use Committee

Supervisor Ammiano noted present at 2:08 p.m.

022031 **[Zoning Map Amendment]**
Supervisor Maxwell

Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title; companion measure to File 022032.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022032 **[17th and Rhode Island Street Grocery Store Special Use Subdistrict]**
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)
(10/7/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing same title.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031600 **[Commercial Vehicle Parking in Certain Use Districts]**
Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031695 **[Changing Official Width of Sidewalk]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1561 to change the official sidewalk width on the south side of Market Street west of Third Street; making findings pursuant to the General Plan; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031549 **[Mixed-use development of affordable housing and a City office building at 10th and Market Streets]**
Supervisors Daly, Dufty

Resolution endorsing a term sheet describing the key terms and conditions of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and urging City staff to proceed with the preparation of agreements effectuating such a project.

Resolution No. 730-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Rules Committee With Recommendation "Do Submit"

030857 **[Charter Amendment - Retirement Benefits for District Attorneys, Public Defenders and Public Defender Investigators]**
Supervisors Gonzalez, Sandoval, Hall

Charter amendment (Fourth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

7/8/03 Amendment of the whole bearing same title.

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Charter amendment (Fifth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.
CONTINUED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031547 **[Charter Amendment - Tax-deferred transfer of accrued vacation, sick leave and other compensation to employees]**
Supervisors Sandoval, Daly, Gonzalez

Charter amendment (Second Draft) to add Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.

Continued to November 18, 2003
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031562 **[Charter Amendment - Retirement System benefits for domestic partners]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Third Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

Supervisor Peskin, seconded by Supervisor Daly, moved to combine File No. 031547 with File No. 031562.

Continued to November 18, 2003.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031819 **[Charter Amendment - Tax Deferred transfer of accrued vacation, sick leave and other compensation to employees; Retirement System benefits for domestic partners]**
Supervisors Sandoval, Ammiano, Dufty

Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County of San Francisco to establish plans for the tax-deferred treatment of accrued compensation payable to employees, (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by (c) amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

The charter amendment contents of File 031547 and 031562 were combined into File No. 031819.

New File "Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees and (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the retirement System."

Continued to November 18, 2003 with the Board sitting as a Committee of the Whole.
CONTINUED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

From the Rules Committee "Without Recommendation"

031542 **[Charter Amendment - Reclassify Deputy Sheriffs as Safety Employees Covered Under Charter Section A8.590-1 et seq.]**
Supervisors Ma, Daly, Dufty, Gonzalez

Charter amendment (Second Draft) to amend Sections A8.409 and A8.590-1 et seq. to reclassify Deputy Sheriffs as safety employees covered under Charter Section A8.590-1 et seq.

Continued to November 18, 2003
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031561 **[Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]**
Supervisor Ammiano

Charter amendment (Second Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Charter amendment (Third Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:35 p.m.

Reconvening of the Board

The Board at the hour of 4:06 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Gonzalez, Maxwell, Newsom, Peskin - 6

Quorum present.

Supervisors Ma and Dufty were noted present at 4:07 p.m.
Supervisor Sandoval was noted present at 4:08 p.m.
Supervisor McGoldrick was noted present at 4:09 p.m.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

From the Rules Committee "Without Recommendation"

031405 **[Charter Amendment - Establishing a Public Education Fund]**
Supervisors Ammiano, Dufty, Daly, Ma, Sandoval

Charter amendment (Fourth Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)

Speakers:
Arlene Ackerman, Superintendent, SFUSD; support of Public Education Fund
Jill Winns, Commissioner, SF School Board; support of Public Education Fund
Hydra Mendoza, parent of SFUSD children; support of Public Education Fund
Emilio Cruz, President of the SF School Board; support of Public Education Fund
Roger Bailey, parent of SFUSD student; support of Public Education Fund
Female Speaker; support of Public Education Fund
Margaret Brodkin, Coleman Advocates
Alice Mosely, music teacher; support of Public Education Fund
Winnie Kelly, teacher; support of Public Education Fund
Moira Kelly, First Five Commission; support of Public Education Fund
Male parent; support of Public Education Fund
Peter Longford, Youth Commissioner; support of Public Education Fund
Stephanie Champion, Youth Commissioner; support of Public Education Fund
Liam Shine, Youth Commissioner; support of Public Education Fund
Melinda Felix, CPAC; support of Public Education Fund
Natalie Breall, Child Care Planning Council; support of Public Education Fund
Alice Hansen, School's Help program; support of Public Education Fund
Youth Commissioner; support of Public Education Fund
Josh, Youth Commissioner; support of Public Education Fund
Female Speaker; support of Public Education Fund
Clare Waskey, parent and librarian; support of Public Education Fund
Kay Holmes, librarian at Galieo High School; support of Public Education Fund
Dr. Ruben Champion; former educator; support of Public Education Fund
Rachel, Alumuni of SFUSD; support of Public Education Fund
Director, Music of Schools Day; support of Public Education Fund

The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

Supervisor Gonzalez, second by Supervisor Maxwell, moved to divide and create a new item reflecting "contribution amounts to the Public Education Fund Fiscal Year 2005-2006 $12 million, 2006-2007, $16 million, 2007-2008 $20 million, 2008-2009 $24 million, 2009-2010 $30 million and deleting the sunset clause." Both items to be continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

Motion failed by the following vote:
Ayes: 4 - Gonzalez, Maxwell, Peskin, Sandoval
Noes: 6 -Ammiano, Daly, Dufty, Ma, McGoldrick, Newsom

Supervisors Ma and Sandoval requested to be added as co-sponsors.
ORDERED SUBMITTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Gonzalez, Peskin
Absent: 1 - Hall

COMMITTEE REPORTS

Appointment of President Pro Tempore

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

031543 **[Charter Amendment-Tolling Board deadlines during recess, reducing votes required when Board members are disqualified, limiting hold-over appointments, setting deadlines for police and fire negotiations, and re-naming the Commission on Aging.]**
Supervisor Gonzalez

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.103, 2.104, and Article XVII, by adding Section 4.101-1, by amending Section A8.590-5, and by amending Section 4.120, to toll deadlines for action by the Board when the Board is in recess, to reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest, to limit hold-over appointments to 60 days, to set deadlines for completing contract negotiations with police and fire employees, and to re-name the Commission on Aging as "the Commission on Aging and Adult Services."

Supervisor Ma, seconded by Supervisor Maxwell, moved to divide question relating to the Police and Fire negotiations
Motion failed by the following vote:
Ayes: 5 - Dufty, Ma, Maxwell, McGoldrick, Newsom
Noes: 6 - Ammiano, Daly, Gonzalez, Hall, Peskin, Sandoval
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031567 **[Charter Amendment - San Francisco Department of Public Health]**
Supervisors Daly, Gonzalez

Charter Amendment (Second Draft) to repeal Section 4.110, regarding the Health Commission, and adding a new Article VIIIC, to increase the autonomy and fiscal authority of the Health Commission and change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, ensure the continued operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)
Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Charter Amendment (Third Draft) to repeal Section 4.110, regarding the Health Commission, and adding a new Article VIIIC, to increase the autonomy and fiscal authority of the Health Commission and change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, ensure the continued operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031574 **[Charter Amendment - Board of Supervisors to respond to all orders or requests for the production of City records under designated state and federal laws]**
Supervisors McGoldrick, Peskin, Daly

Charter amendment (Second Draft) to add Section 16.124 to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.

Continued to November 18, 2003

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031690 **[Settlement Of Lawsuit]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for $1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

031697 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Lynn Andrews against the City and County of San Francisco for $75,000; the lawsuit was filed on July 18, 2002 in San Francisco Superior Court, Case No. 410-430; entitled Lynn Andrews v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Richard Robertson; general issues
Vernon Jenkins; general issues
Regis Rosetta, SF Gay Men's Chorus; 25th Anniversary Concert

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031802 **[Commending S.F. Youth Commission and the Youth Vote Coalition]**
Supervisors Newsom, Dufty, Daly, Ma

Resolution commending the San Francisco Youth Commission and the Youth Vote Coalition for successfully creating a forum via the 2003 Youth VOTE for students to voice their concerns and to educate their peers about current issues with a particular focus on those concerning the City's children and youth.

Supervisors Daly and Ma requested to be added as co-sponsors.

Resolution No. 733-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

031803 **[2003 Native American Indian Heritage Month]**
Supervisors Newsom, Dufty

Resolution declaring the month of November as "Native American Indian Heritage Month" in the City and County of San Francisco.

Resolution No. 734-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

031804 **[Earned Income Tax Credit Program Pre-Certification Requirements]**
Supervisors Newsom, Dufty, Hall

Resolution urging our federal representatives to ensure that eligibility requirements and application procedures for the federal Earned Income Tax Credit remain as streamlined as possible, and supporting efforts to study the feasibility of implementing a local credit for low- and moderate-income working families.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 735-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

031805 **[Supporting House Joint Resolution 45]**
Supervisors Newsom, Ma, Peskin, Dufty

Resolution supporting House Joint Resolution 45, introduced by Congressman Mike Honda, which posthumously proclaims soldiers of Asian descent who fought in the Civil War to be honorary citizens of the United States.

Resolution No. 736-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

031800 **[Legislative Assistants]**
Supervisor Daly

Motion directing the Clerk of the Board of Supervisors to authorize filling vacancies in Board of Supervisors Legislative Offices immediately when a legislative assistant exercises her/his family leave rights and when legislative assistants depart with accrued vacation balances and directing the Clerk of the Board to introduce such appropriation measures as may be required to cover the costs of such temporary and/or permanent replacements.

Motion No. M03-192

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

031801 **[Directing Budget Analyst to Undertake Analysis of Information related to Proposition N and/or "Real Housing, Real Care" Implementation Plans]**
Supervisor Daly

Motion directing the Office of Budget Analyst of the Board of Supervisors to analyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N and/or "Real Housing, Real Care."

Motion No. M03-193

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed From the Without Reference Committee Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

031806 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certification of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Hall

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021598 **[Ancillary Units]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional ancillary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit Center (as shown on the Transit Map in the Transportation Element of the San Francisco General Plan) and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to provide that this ordinance is not intended to supersede prohibitions against ancillary units in private agreements binding homeowners, to prohibit subdivision of the main unit and the ancillary unit, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the ancillary unit shall not be subject to the Rent Ordinance but requiring that an ancillary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these ancillary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of an ancillary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the ancillary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certificate of occupancy for the ancillary unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to provide that an ancillary unit constructed within an existing unit exempt from rent control shall continue to be exempt from rent control, to require that notice to vacate a unit required to be removed or demolished by a City agency shall not be given to the tenant until the landlord receives the City's notice requiring demolition or removal, and to require relocation assistance for persons required to vacate illegal units; and adopting findings.

9/23/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

11/20/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

4/15/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

4/15/03, ASSIGNED to Land Use Committee.

4/21/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

4/23/03, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental Review dated 4/23/03.

11/4/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/4/03, ASSIGNED to Land Use Committee.

Resolutions

031811 **[Development and Lease of Piers 27-31]**
Supervisor Peskin

Resolution urging the Port Commission not to Extend the Exclusive Right to Negotiate Agreement with the Mills Corporation and to Re-issue the Request for Proposals for the Development and Lease of Piers 27-31 as a Mixed-Use Recreation Project.

11/4/03, RECEIVED AND ASSIGNED to Budget Committee.

031812 **[Increasing civil filing and appearance fees provided in Business and Professions Code for operation of the Law Library]**
Supervisor Dufty

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.
11/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031813 **[Increased funding for the San Francisco Unified School District]**
Supervisor Gonzalez

Resolution establishing a commitment to increase funding for the San Francisco Unified School District.

(Fiscal impact.)
11/4/03, RECEIVED AND ASSIGNED to Budget Committee.

031814 **[Purchase of real property located at 438 Page Street, Assessor's Block 841, Lot 29]**
Supervisor Gonzalez

Resolution approving and authorizing the purchase of certain real property; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.

(Fiscal impact.)
11/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031815 **[Modification and renewal of the Union Square Business Improvement District]**
Supervisor Peskin

Resolution establishing the modification and renewal of an assessment district known as the Union Square Business Improvement District, ordering the levy and collection of assessments against property located in that district for fiscal years 2004-2005 through 2008-2009, approving an agreement with the Union Square Business Improvement District, Inc. to provide services within the District, repealing Resolution No. 1066-98, creating the Union Square Business Improvement District Advisory Board, and making environmental findings.

(Fiscal impact.)
11/4/03, ASSIGNED to Board of Supervisors.
11/4/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for December 16, 2003, at 4:00 p.m.

031816 **[Port Lease for the Boudin Restaurant and Bakery at Fisherman's Wharf]**
Supervisor Peskin

Resolution approving the Lease between the San Francisco Port Commission and Boudin Properties, Inc., a California corporation, for the Boudin Restaurant and Bakery located at 160 Jefferson Street at Fisherman's Wharf, for a total maximum term of forty-two years.

(Public Benefit Recipient.)
11/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

031821 **[Calling a March 2, 2004 Special Election on Regional Measure 2]**
Supervisor Daly

Resolution calling for a special election to be conducted in the City and County of San Francisco on the question of whether voters shall approve a $1 bridge toll increase on the seven state-owned bridges in the San Francisco Bay Area with the funds to be used for a Regional Traffic Relief Plan, as defined in Senate Bill 916 (Perata).
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 11/25/03 - Certified copy of Resolution sent to the Department of Elections.

031822 **[Accept-Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of Ninety-Five Thousand Dollars ($95,000.00) from the State of California, Department of Boating and Waterways, Abandoned Watercraft Fund, for the removal, and disposal of abandoned, wrecked or dismantled vessels or partially submerged objects within the Port's jurisdiction.
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031823 **[Supporting Fuel Cell Pilot Project at Airport]**
Supervisors McGoldrick, Newsom

Resolution urging the Airport Director to initiate with other relevant departments a Fuel Cell Pilot Project at San Francisco International Airport (SFIA) in conjunction with the U.S. Department of Transportation (USDOT), Federal Aviation Administration (FAA), and the California Public Utilities Commission (CPUC) to enhance and improve the reliability and security of critical air traffic and airport operations at SFIA.
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031824 **[S.S. Jeremiah O'Brien]**
Supervisors Peskin, Sandoval, Hall

Resolution urging the Port of San Francisco to enter into a 10-year lease with the S.S. Jeremiah O'Brien at its current berth on Pier 45.
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing

031817 **[City's Electricity Resource Plan]**
Supervisor Maxwell

Hearing to receive an update on the implementation of the City's Electricity Resource Plan.
11/4/03, RECEIVED AND ASSIGNED to City Services Committee.

031818 **[Recreation and Park Department's Aquatic Plan]**
Supervisors Maxwell, Ma

Hearing to address the concerns on the efficiency and effectiveness of Recreation and Parks Department's Aquatic Plan.
11/4/03, RECEIVED AND ASSIGNED to City Services Committee.

Motion

031820 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031825 **[Authorizing preparation of a written Proponent ballot argument and rebuttal argument on the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 on the March 2, 2004 ballot]**
Supervisor Sandoval

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 for publication in the voter information pamphlet for the March 2, 2004 election.
11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

031770 **[General Plan Amendments]**
Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)
10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

031771 **[Zoning Map Amendment]**
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)
10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

031772 **[Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**
Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)
10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

031790 **[Settlement of Lawsuit - Mamei Wei]**
Ordinance authorizing settlement of the lawsuit filed by Mamei Wei against the City and County of San Francisco and Ray Contreras for $250,000; the lawsuit was filed on December 20, 2002 in U.S. District Court for the Northern District of California, Case No. C02-5887 TEH entitled Mamei Wei v. City and County of San Francisco and Ray Contreras. (City Attorney)

(Public Benefit Recipient.)
10/27/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

031728 **[Settlement of Claim - Zurich North America]**
Resolution approving the settlement of the unlitigated claim filed by Zurich North America against the City and County of San Francisco for $120,000.00; the claim was filed on April 8, 2003; Claim No. 03-03317

(Public Benefit Recipient.)
10/27/03, RECEIVED AND ASSIGNED to Rules Committee.

031769 **[Grant of Regional Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend $4,663,431 of Assembly Bill 664 funds for Municipal Railway Transit Projects, excluding administrative overhead costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
10/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

031773 **[Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031774 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Office of the District Attorney to accept and expend a grant in the amount of $127,241 from the California Office of Criminal Justice Planning for the operation of the Major Narcotic Vendors Prosecution Program. (District Attorney)

(No Public Benefit Recipient.)
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031775 **[Contract funds to update the single estimate of unmet need for HIV primary care in San Francisco]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California, San Francisco (UCSF) the primary contractor, and expend funds in the amount of $22,224 for estimates of unmet need for HIV primary care in the San Francisco Eligible Metropolitan Area (EMA); for the period of September 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)
10/23/03, RECEIVED AND ASSIGNED to City Services Committee.

031776 **[Contract funds to develop an on-line collaborative HIV trial training resource center]**
Supervisors Dufty, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $74,732 for services under the agreement; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)
10/23/03, RECEIVED AND ASSIGNED to City Services Committee.

031787 **[Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Homicide]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Homicide." (District Attorney)

(No Public Benefit Recipient.)
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031788 **[Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $155, 000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Elder Abuse Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031789 **[Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse." (District Attorney)

(No Public Benefit Recipient.)
10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

031826 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Amendment No. 3 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)
10/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031827 **[Airport Concession Lease]**
Resolution approving Amendment No. 2 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)
10/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031828 **[Airport Revenue Bonds]**
Resolution approving the issuance of up to $225,000,000 additional aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the issuance of San Francisco International Airport Second Series Variable Rate Revenue Bonds for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport, including by refunding outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the maximum interest rates thereon; Approving the forms of certain documents relating to the Bonds; Approving Xl Capital Assurance Inc. as a provider of bond insurance and reserve fund Surety Bonds and the forms of certain documents relating thereto; and Approving certain amendments to the 1991 Master Resolution. (Airport Commission)
10/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031829 **[Membership in the Bay Area Regional Immunization Registry]**
Supervisors Dufty, Ma

Resolution authorizing the San Francisco Board of Supervisors to enter into an agreement between the City and County of San Francisco and the County of Santa Clara for membership in the Bay Area Regional Immunization Registry. (Public Health Department)

(No Public Benefit Recipient.)
10/22/03, RECEIVED AND ASSIGNED to City Services Committee.

031830 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency to accept retroactively and expend $326,512 of federal Section 5309 capital assistance toward the purchase of LRVs for San Francisco's Municipal Railway, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
10/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED MOTIONS

031763 **[Appointment, Public Utilities Commission]**
Motion approving the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission, for the term expiring January 15, 2004. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031764 **[Appointment, Public Utilities Commission]**
Motion rejecting the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031765 **[Appointment, Public Utilities Commission]**
Motion taking no position concerning the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031766 **[Appointment, Public Utilities Commission]**
Motion approving the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031767 **[Appointment, Public Utilities Commission]**
Motion rejecting the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031768 **[Appointment, Public Utilities Commission]**
Motion taking no position concerning the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.
11/10/03 - Received communication from City Attorney regarding appointment.

031780 **[Appointment, Public Utilities Commission]**
Motion approving the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.

031781 **[Appointment, Public Utilities Commission]**
Motion rejecting the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission. (Mayor)
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.

031782 **[Appointment, Public Utilities Commission]**
Motion taking no position concerning the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Sandoval
To: MUNI
Requesting/Inquiring: Requesting reconsideration of the deletion of two bus stops on the 52 Excelsior line. Attached is a copy of the petition signed by concerned riders. Response should detail the original justification for removing bus stops, what efforts were made to gather community input about the removal of the stops, and the result of communications with concerned riders about the restoration of the bus stops.

Also requesting the Clerk of the Board to send a copy of this letter and MUNI's response to:

Maria Morell
Ramon Morell
246 Edinburgh Street
San Francisco, CA 94112

From: Supervisor Maxwell
To: Department of Environmental
Department of Public Health
Requesting/Inquiring: Inquiring about whether staff can draft an Air Quality Plan to identify sources of air pollution throughout the City and establish a 10-year road map with measures to eliminate or mitigate pollutants in the City.

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: To conduct a detailed engineering analysis on Leland Avenue between Scherwin Street and Rey Street. This section of Leland Avenue is home to several childcare facilities, Visitacion Valley Elementary School, a recreation center and a playground. This area is currently a nightmare for pedestrians, especially children. Supervisor Maxwell requests the Department to complete a comprehensive study and provide her office with remedies which the department will implement to calm traffic in this area, in particular, consider in installation of speed bumps as an option.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft, with the assistance of the Department of the Environment and the Department of Public Health, an Air Quality Plan to identify sources of air pollution throughout the City and establish a 10-year road map with measures to eliminate or mitigate pollutants in the City.

In Memoriam

Jean Ellis Blumkin (Supervisor Dufty)
David L. Pharr (Supervisors Dufty, Ammiano)
Wendy Marx Ellington (Supervisors Dufty, Sandoval)
Connie Lee Mays Robinson (Supervisor Gonzalez)In Memoriam

Victor Bach (Supervisor Daly)
Jean Ellis Blumkin (Supervisor Dufty)
David L. Pharr (Supervisors Dufty, Ammiano)
Wendy Marx Ellington (Supervisors Dufty, Sandoval)
Connie Lee Mays Robinson (Supervisor Gonzalez)

ADJOURNMENT

There being no further business, the Board at the hour of 6:14 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 9, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, November 18, 2003 2:00 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvsrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 98 Number 38

Members Present: Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, the following Supervisors Ammiano, Daly and Sandoval were noted absent.

Quorum present.

Supervisors Sandoval and Daly were noted present at 2:05 p.m.
Supervisor Ammiano was previously excused. (See Infra)

Supervisor Excused from Attendance

Supervisor Dufty, seconded by Supervisor Peskin, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Maxwell, moved to approve October 21, 2003 Meeting Minutes.. The motion carried by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - Ammiano

CONSENT AGENDA

Recommendations of the City Services Committee

031721 **[Research on club-drug networks among high-risk men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a supplemental grant award in the amount of $37,011 from the National Institute on Drug Abuse (NIDA) for research on club-drug networks among high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 745-03
ADOPTED

031773 **[Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.
Resolution No. 749-03
ADOPTED

031775 **[Contract funds to update the single estimate of unmet need for HIV primary care in San Francisco]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California, San Francisco (UCSF) the primary contractor, and expend funds in the amount of $22,224 for estimates of unmet need for HIV primary care in the San Francisco Eligible Metropolitan Area (EMA); for the period of September 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.
Resolution No. 750-03
ADOPTED

031776 **[Contract funds to develop an on-line collaborative HIV trial training resource center]**
Supervisors Dufty, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $74,732 for services under the agreement; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 751-03
ADOPTED

031787 **[Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Homicide]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Homicide." (District Attorney)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 752-03
ADOPTED

031788 **[Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse Vertical Prosecution Program]**
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $155, 000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Elder Abuse Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 753-03
ADOPTED

031789 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse]
Supervisors Dufty, Daly, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse." (District Attorney)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 754-03
ADOPTED

Recommendations of the Land Use Committee

022031 **[Zoning Map Amendment]**
Supervisor Maxwell

Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title; companion measure to File 022032.)

Ordinance No. 260-03
FINALLY PASSED

022032 **[17th and Rhode Island Street Grocery Store Special Use Subdistrict]**
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)
(10/7/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing same title.)

Ordinance No. 261-03
FINALLY PASSED

031600 [Commercial Vehicle Parking in Certain Use Districts]
Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 264-03
FINALLY PASSED

031695 [Changing Official Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1561 to change the official sidewalk width on the south side of Market Street west of Third Street; making findings pursuant to the General Plan; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Ordinance No. 266-03
FINALLY PASSED

031691 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Le Conte and Meade Avenues, stopping both streets, making this intersection an All-Way STOP;
Teddy Avenue and Alpha Street, stopping Teddy Avenue at Alpha Street, making this intersection an All-Way STOP;
Leland Avenue and Peabody Street, stopping Leland Avenue and Peabody Street, making this uncontrolled T-intersection an All-Way STOP;
Broadway and Jones Street, stopping Jones Street, making this intersection an All-Way STOP;
Benton Avenue and Genebern Way, stopping westbound Benton Avenue at Genebern Way;
26th Avenue and Moraga Street, stopping 26th Avenue, making this intersection an All-Way STOP;
25th and Mississippi Streets, stopping both streets, making this uncontrolled T-intersection an All-Way STOP;
20th Avenue and Quintara Street, stopping Quintara Street traffic at 20th Avenue, making this intersection an All-Way STOP; and
Harney Way at Alana Way and Thomas Mellon Drive, stopping eastbound Harney Way Left Turn onto Alana Way. (Parking and Traffic Department)

9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2692; No Public Benefit Recipient.)

Resolution No. 742-03
ADOPTED

031746 [Accept-Expend State Grant]
Mayor, Supervisors McGoldrick, Maxwell, Sandoval, Newsom

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of $199,204 from the California Office of Traffic Safety for improving school area traffic safety.

(No Public Benefit Recipient.)

Supervisors Sandoval and Newsom requested to be added as co-sponsors.

Resolution No. 748-03
ADOPTED

Recommendations of the Rules Committee

031690 **[Settlement Of Lawsuit]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for $1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds. (City Attorney)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 265-03
FINALLY PASSED

031697 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Lynn Andrews against the City and County of San Francisco for $75,000; the lawsuit was filed on July 18, 2002 in San Francisco Superior Court, Case No. 410-430; entitled Lynn Andrews v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 267-03
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Severed from the Consent Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

031692 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT - ESTABLISH
Paul Avenue, eastbound, at Bayshore Boulevard.

CROSSWALK - RESCIND
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, south side, at Oakdale Avenue.

CROSSWALK - ESTABLISH
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, north side.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH
3rd Street, northbound, at Townsend Street.

NO LEFT TURN - ESTABLISH
Woodside Avenue, eastbound, onto Youth Guidance Center/Laguna Honda Hospital access road.

NO LEFT TURN - ESTABLISH
Woodside Avenue, westbound, onto Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, west side, at Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, east side, at the Youth Guidance Center/Laguna Honda access road.

NO LEFT TURN, 7:00 AM to 9:00 AM AND 4:00 PM TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
NO LEFT TURN - ESTABLISH
Judah Street, westbound at 17th Avenue. (Parking and Traffic Department)

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2692; No Public Benefit Recipient.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved to divide the question regarding No Right Turn After Ballpark Events Except Taxis- Rescind and No Right Turn After Ballpark Events - Establish.

DIVIDED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT - ESTABLISH
Paul Avenue, eastbound, at Bayshore Boulevard.

CROSSWALK - RESCIND
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, south side, at Oakdale Avenue.

CROSSWALK - ESTABLISH
Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, north side.

NO LEFT TURN - ESTABLISH
Woodside Avenue, eastbound, onto Youth Guidance Center/Laguna Honda Hospital access road.

NO LEFT TURN - ESTABLISH
Woodside Avenue, westbound, onto Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, west side, at Idora Avenue.

CROSSWALK - RESCIND
Crossing Woodside Avenue, east side, at the Youth Guidance Center/Laguna Honda access road.

NO LEFT TURN, 7:00 AM to 9:00 AM AND 4:00 PM TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
NO LEFT TURN - ESTABLISH
Judah Street, westbound at 17th Avenue. (Parking and Traffic Department)

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2692; No Public Benefit Recipient.)

Resolution No. 743-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031916 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH
3rd Street, northbound, at Townsend Street. (Parking and Traffic Department)

Continued to January 6, 2004

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

031693 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Funston Avenue, west side, between California and Clement Streets (200 block).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Sloat Boulevard, south side, from 20th Avenue to 100 feet easterly (300 block); and
20th Avenue, both sides, between Sloat Boulevard and Ocean Avenue (2900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fulton Street, south side, at 6th Avenue (accommodates 3 unmetered parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
States Street, north side, from Corona Heights Playground to a point 26 feet westerly.

(9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2692; No Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to divide this item relating to States Street, north side, from Corona Heights Playground to a point 26 feet westerly Tow-Away, No Stopping Anytime - Establish.

The motion to divide this matter was passed by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano
Supervisor Dufty, seconded by Supervisor Maxwell, moved to continue the divided matter to December 9, 2003.
Motion was approved without objection.

DIVIDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Funston Avenue, west side, between California and Clement Streets (200 block).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Sloat Boulevard, south side, from 20th Avenue to 100 feet easterly (300 block); and
20th Avenue, both sides, between Sloat Boulevard and Ocean Avenue (2900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fulton Street, south side, at 6th Avenue (accommodates 3 unmetered parking spaces).

(9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2692; No Public Benefit Recipient.)

Resolution No. 744-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031917 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
States Street, north side, from Corona Heights Playground to a point 26 feet westerly. (Parking and Traffic Department)

(9/25/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2692; No Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor Maxwell, moved to continue the divided matter to December 9, 2003.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

Recess

The Board recessed at the hour of 3:09 p.m.

Reconvening of the Board

The Board at the hour of 3:48 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval - 8

Quorum present.

Supervisors Daly and Newsom were noted present at 3:49 p.m.

031545 [Agreement to Exchange of Property and Settlement of Lawsuit - William F. Spiers dba Spiers Construction Company]
Supervisors Hall, Dufty

Ordinance authorizing an agreement to exchange vacant land uphill from Edgehill Park for the City's property on Portola Drive; adopting findings that the exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the exchange agreement; and authorizing settlement of the lawsuit entitled City and County of San Francisco v. William F. Spiers dba Spiers Construction Company, filed on November 29, 2001 in San Francisco Superior Court, Case No. 401-800, for an injunction requiring removal of Spiers' fence blocking access to Edgehill Park, for dismissal of Spiers' cross-complaint for quiet title, and for the exchange agreement.

(Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor Daly, moved to continue this matter to December 9, 2003.

Motion failed by the following vote:
Ayes: 4 - Daly, Dufty, Maxwell, Newsom
Noes: 6 - Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Daly moved to suspend the Rules of Order to allow public comment on this matter. President Gonzalez informed Supervisor Daly that the motion to suspend the Rules of Order requires an unanimous vote.
Motion failed.

Supervisor Dufty, seconded by Supervisor Daly, moved to refer this matter to the Rules Committee.

Motion failed by the following vote:
Ayes: 4 - Daly, Dufty, Ma, Newsom
Noes: 6 - Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1- Ammiano

Supervisor Daly, seconded by Supervisor Dufty, moved to suspend the Rules of Order to allow for public comment on this matter.
Motion failed by the following vote:
Ayes: 6 - Daly, Dufty, Gonzalez, Maxwell, Newsom, Peskin
Noes: 4 - Hall, Ma, McGoldrick, Sandoval
Excused: 1- Ammiano

Ordinance No. 263-03
FINALLY PASSED by the following vote:
Ayes: 8 - Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Dufty
Excused: 1 - Ammiano

From the Rules Committee With Recommendation "Do Submit"

031543 **[Charter Amendment-Tolling Board deadlines during recess, reducing votes required when Board members are disqualified, limiting hold-over appointments, setting deadlines for police and fire negotiations, and re-naming the Commission on Aging.]**
Supervisor Gonzalez

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.103, 2.104, and Article XVII, by adding Section 4.101-1, by amending Section A8.590-5, and by amending Section 4.120, to toll deadlines for action by the Board when the Board is in recess, to reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest, to limit hold-over appointments to 60 days, to set deadlines for completing contract negotiations with police and fire employees, and to re-name the Commission on Aging as "the Commission on Aging and Adult Services."

NOT ORDERED SUBMITTED by the following vote:
Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, Sandoval
Noes: 4 - Ma, McGoldrick, Newsom, Peskin
Absent: 1 - Dufty
Excused: 1 - Ammiano

031547 **[Charter Amendment - Tax-deferred transfer of accrued vacation, sick leave and other compensation to employees]**
Supervisors Sandoval, Daly, Gonzalez

Charter amendment (Second Draft) to add Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.

Supervisors Daly and Gonzalez requested to be added as a co-sponsors.
ORDERED SUBMITTED by the following vote:
Ayes: 8 - Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Dufty, Hall
Excused: 1 - Ammiano

031562 **[Charter Amendment - Retirement System benefits for domestic partners]**
Supervisors Ammiano, Dufty, Daly

Charter amendment (Third Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

Supervisor Daly requested to be added as a co-sponsor.
ORDERED SUBMITTED by the following vote:
Ayes: 9 - Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Gonzalez
Excused: 1 - Ammiano

From the Rules Committee "Without Recommendation"

031542 **[Charter Amendment - Reclassify Deputy Sheriffs as Safety Employees Covered Under Charter Section A8.590-1 et seq.]**
Supervisors Ma, Daly, Dufty, Gonzalez

Charter amendment (Second Draft) to amend Sections A8.409 and A8.590-1 et seq. to reclassify Deputy Sheriffs as safety employees covered under Charter Section A8.590-1 et seq.

Supervisor Gonzalez requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

031574 **[Charter Amendment - Board of Supervisors to respond to all orders or requests for the production of City records under designated state and federal laws]**
Supervisors McGoldrick, Peskin, Daly

Charter amendment (Second Draft) to add Section 16.124 to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.

Supervisor Daly requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

NEW BUSINESS

Recommendation of the Budget Committee

031793 **[Financial Privacy]**
Supervisor Peskin

Ordinance amending Section 2000 of Article 20 of the Business and Tax Regulation Code, the "San Francisco Financial Information Privacy Ordinance," to postpone the date upon which Article 20 is set to become operative from January 1, 2004 to July 1, 2004.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

From the Budget Committee "Without Recommendation"

Supervisor McGoldrick Excused From Voting

Supervisor Sandoval, seconded by Supervisor Ma, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 2 - Ammiano, McGoldrick

031811 **[Development and Lease of Piers 27-31]**
Supervisors Peskin, Gonzalez

Resolution urging the Port Commission not to Extend the Exclusive Right to Negotiate Agreement with the Mills Corporation and to Re-issue the Request for Proposals for the Development and Lease of Piers 27-31 as a Mixed-Use Recreation Project.

Continued to November 25, 2003

Supervisor Gonzalez requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Daly, Gonzalez, Ma, Maxwell, Peskin
Noes: 4 - Dufty, Hall, Newsom, Sandoval
Excused: 2 - Ammiano, McGoldrick

Recommendations of Finance and Audits Committee

031321 **[CEQA, General Plan, Golden Gate Park Master Plan Findings - Golden Gate Park Concourse Authority Projects]**
Supervisor Peskin

Resolution adopting environmental findings pursuant to the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting General Plan and Planning Code Section 101.1 findings in connection with the Golden Gate Park Concourse Authority Projects.

Resolution No. 738-03

ADOPTED by the following vote:

Ayes: 7 - Dufty, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez
Absent: 1 - Hall
Excused: 1 - Ammiano

031320 **[Golden Gate Park Concourse Underground Parking Facility Fees]**
Supervisor Peskin

Ordinance making environmental findings and amending the San Francisco Park Code by adding Section 12.35 to establish rates for the Golden Gate Park Concourse Underground Parking Facility.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez
Excused: 1 - Ammiano

031319 [Approving ground lease to Music Concourse Community Partnership in connection with the construction and operation of an underground parking facility and amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority]
Supervisors Peskin, Dufty, Sandoval

Resolution approving and authorizing the execution and delivery of a ground lease between the City and Music Concourse Community Partnership relating to the Golden Gate Park Music Concourse underground parking facility project; amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority; and requiring Music Concourse Community Partnership to provide or cause the provision of a guarantee of the remaining uncollected pledges.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 737-03

ADOPTED by the following vote:
Ayes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez
Excused: 1 - Ammiano

031657 **[Appropriation of funding and creation of special fund for the Octavia Boulevard Project]**
Supervisor Peskin

Ordinance appropriating $12,903,999 from the land sales to the San Francisco Redevelopment Agency and $1,106,631 in lease revenues from the Central Freeway land parcels for a total of $14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031738 **[Contracting out Budget Analyst Services]**
Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees. (Clerk of the Board)

Resolution No. 747-03

ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the City Services Committee

031103 [Parks and Recreation Department assessment of staff and monetary resources needed to maintain city parks]
Supervisors Gonzalez, Sandoval, Daly, Dufty, Ma

Resolution urging the Parks and Recreation Commission and the Parks and Recreation Department to immediately undertake an assessment of staff and monetary resources needed to reinvigorate and maintain the city's parks at a level that promotes use and pride in all neighborhoods of the city.

Resolution No. 741-03
ADOPTED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030995 [Licensing and regulation of massage practitioners and businesses]
Supervisors Daly, Peskin, Dufty, Ma, Gonzalez, Ammiano

Ordinance amending the San Francisco Police Code by repealing Article 27 (Sections 2700 through 2737), and amending the San Francisco Health Code by adding a new Article 29 (Sections 1900 through 1931), both Articles providing for the licensing and regulation of massage practitioners and businesses, and establishing an operative date for the ordinance.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

031866 [Waiving Police and Fire fees for Immigrant Pride Day 2003]
Supervisors Gonzalez, Daly

Ordinance waiving fees associated with Immigrant Pride Day 2003 assessed by the San Francisco Police and Fire Departments; urging the Municipal Transportation Agency to waive its fees associated with the same event.

Continued to November 25, 2003
Supervisor McGoldrick, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Land Use Committee

031603 [Generation Solar: Residential and Commercial Solar Program]
Supervisors Ammiano, McGoldrick, Maxwell, Daly, Gonzalez

Ordinance requiring the Public Utilities Commission and the Department of the Environment in consultation with other City departments to implement Generation Solar, a solar program for the residential and commercial sectors.

(No Public Benefit Recipient.)

Supervisors Daly and Gonzalez requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031694 [Traffic Code - **Amending Section 32.1.1 to update location of Main Public Library**]

Ordinance amending Section 32.1.1 of the San Francisco Traffic Code to update the location of parking restrictions on the blocks adjacent to the San Francisco Main Library. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031727 [Street **Encroachment at 151 24th Avenue**]

Resolution granting revocable permission to Edgar N. Bogas and Desiree Goyette-Bogas to occupy a portion of the public right-of-way to construct, install and maintain a portion of a new two car garage, including new concrete retaining walls, concrete stairs, concrete terrace, grading and landscaping, within the existing landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 151 24th Avenue (Block 1334, Lot 004) and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient.)

Resolution No. 746-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031729 [Street **Artist Winter Holiday Spaces**]

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2003, beginning on November 15, 2003 and ending on January 15, 2004. (Arts Commission)

(No Public Benefit Recipient.)

Resolution No. 739-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recess

The Board recessed at the hour of 3:35 p.m.

Reconvening of the Board

The Board at the hour of 4:06 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Maxwell, Newsom, Peskin - 6

Quorum present.

Supervisors Ma and Dufty were noted present at 4:07 p.m.
Supervisor Sandoval was noted present at 4:08 p.m.
Supervisor McGoldrick was noted present at 4:09 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

From the Rules Committee With Recommendation "Do Submit"

030857 **[Charter Amendment - Retirement Benefits for District Attorneys, Public Defenders and Public Defender Investigators]**
Supervisors Gonzalez, Sandoval, Hall, Daly

Charter amendment (Fifth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

Supervisor Daly requested to be added as a co-sponsor.
ORDERED SUBMITTED by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval
Noes: 2 - Hall, Peskin
Absent: 1 - Newsom
Excused: 1 - Ammiano

031819 **[Charter Amendment - Tax Deferred transfer of accrued vacation, sick leave and other compensation to employees; Retirement System benefits for domestic partners]**
Supervisors Sandoval, Ammiano, Dufty

Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County of San Francisco to establish plans for the tax-deferred treatment of accrued compensation payable to employees, (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by (c) amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

From the Rules Committee "Without Recommendation"

031561 **[Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]**
Supervisors Ammiano, Daly, Gonzalez

Charter amendment (Third Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

The President inquired if there was anyone who wished to address the Board.
Chief Alex Fagan, San Francisco Police Department
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

Continued to November 25, 2003
Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez
Excused: 1 - Ammiano

031567 [Charter Amendment - San Francisco Department of Public Health]
Supervisors Daly, Gonzalez

Charter Amendment (Third Draft) to repeal Section 4.110, regarding the Health Commission, and adding a new Article VIIIC, to increase the autonomy and fiscal authority of the Health Commission and change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, ensure the continued operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

The President inquired if there was anyone who wished to address the Board.
SEIU Local 250 Representative
SEIU Representative
Norman Santon, Planning for Elders
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Charter Amendment be RE-REFERRED. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Ammiano

SPECIAL ORDER 4:30 P.M.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair, so that he could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

031631 **[Public Hearing - Appeal, Final EIR for the 300 Spear Street Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2000.1090E, dated September 4, 2003, for the proposed project at 300 Spear Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and the BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031632, 031633, 031634.)

Sue Hestor, Attorney for appellant
Support of appellant:
Rincon Hill Residents Representative
Roger Brandon, Douglas Arthur, Nathan McClure, Male Speaker, Henry Client
Peter Cohon, Dorothy Dana. Scott Willis, Debbie Golt, Tony Robulo, Female Speaker, Kevin Reilly, Male Speaker, Ann Dalynch, Francisco La Costa, Judy Berkowitz, Patrick Malone, Male Speaker, Tom, Alexander Chung

Larry Badiner, Acting Planning Director, and Planning Representatives reviewed with Board the Planning Commission's recommendation.

Timothy Tosta, Attorney for 300 Spear Street project sponsors
Andrew Junius, Attorney for 201 Folsom Street
Support of project sponsor:
Carl Shannon, Tishman Properties, Terrence Stair, Labor Coalition, Peter Hartman, Stan Warren SF Building Council, Rev. Thomason, Pastor Ellis Walker, Rev. Ted Frazier, Pastor Davis, Michael Terreo, Dan Ellington, Representative from Chamber of Commerce, Stan Smith, Jim Salinas, Local 22, Pat Leahy, Larry Fettman, Iron Workers, Member of Local 22, John Crowley, Steve Anderson, lark Manus. President, SPUR

Rebuttal Period:
Sue Hestor, Attorney for appellant
The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Recess

The Board recessed at the hour of 8:24 p.m.

Reconvening of the Board

The Board at the hour of 8:38 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin - 7

Quorum present.

(Only one of the following two motions should be adopted.)

031632 **[Affirm certification of final environmental impact report for the 300 Spear Street Project]**
Motion affirming the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

Supervisor Daly, moved to continue this matter to December 16, 2003.
Motion failed for lack of a second.

Motion No. M03-195

Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ammiano

031633 **[Reverse certification of final environmental impact report for the 300 Spear Street Project]**
Motion reversing the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031634 **[Preparation of findings to reverse certification of the of final environmental impact report for the 300 Spear Street Project]**
Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 4:30 P.M.

031627 **[Public Hearing - Appeal, Final EIR for the 201 Folsom Street Project]**
Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2002.1073E, dated September 4, 2003, for the proposed project at 201 Folsom Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031628, 031629, 031630.)

Sue Hestor, Attorney for appellant
Support of appellant:
Rincon Hill Residents Representative
Roger Brandon, Douglas Arthur, Nathan McClure, Male Speaker, Henry Client
Peter Cohon, Dorothy Dana. Scott Willis, Debbie Golt, Tony Robulo, Female Speaker, Kevin Reilly, Male Speaker, Ann Dalynch, Francisco La Costa, Judy Berkowitz, Patrick Malone, Male Speaker, Tom, Alexander Chung

Larry Badiner, Acting Planning Director, and Planning Representatives reviewed with Board the Planning Commission's recommendation.

Timothy Tosta, Attorney for 300 Spear Street project sponsors
Andrew Junius, Attorney for 201 Folsom Street
Support of project sponsor:
Carl Shannon, Tishman Properties, Terrence Stair, Labor Coalition, Peter Hartman, Stan Warren SF Building Council, Rev. Thomason, Pastor Ellis Walker, Rev. Ted Frazier, Pastor Davis, Michael Terreo, Dan Ellington, Representative from Chamber of Commerce, Stan Smith, Jim Salinas, Local 22, Pat Leahy, Larry Fettman, Iron Workers, Member of Local 22, John Crowley, Steve Anderson, lark Manus, President, SPUR

Rebuttal Period:
Sue Hestor, Attorney for appellant

The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031628 **[Affirm certification of final environmental impact report for the 201 Folsom Street Project]**
Motion affirming the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

Motion No. M03-194

Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ammiano

031629 **[Reverse certification of final environmental impact report for the 201 Folsom Street Project.]**
Motion reversing the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

031630 **[Preparation of findings to reverse certification of the of final environmental impact report for the 201 Folsom Street Project.]**
Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 6:00 P.M.

031783 **[Public Hearing - Appeal, 32 Uranus Terrace, San Francisco Tentative Subdivision Map]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 20, 2003, approving Tentative/Parcel Map to legalize the proposed construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco.

(Filed October 23, 2003; companion measure to Files 031784, 031785, 031786; District 8.)

Ivan Winthrop, appellant
James Holloway, appellant

Support of appellant:
Madeline Lee
Peter Goss

John Martin, Department of Public Works and Larry Badiner, Acting Planning Director reviewed with the Board the recommendations of the Departments.

Stephen Collier, Attorney for the project sponsors.

Rebuttal Period:
Ivan Winthrop, Appellant

The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031784 **[32 Uranus Terrace Tentative Subdivision Map]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

Motion No. M03-196

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval
Excused: 1 - Ammiano

031785 **[32 Uranus Terrace Tentative Subdivision Map]**

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval
Excused: 1 - Ammiano

031786 **[Findings - 32 Uranus Terrace Tentative Subdivision Map]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

Motion No. M03-197

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

031766 **[Appointment, Public Utilities Commission]**

Motion approving the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)

Supevisor Hall, seconded by Supervisor Dufty, moved to table this matter.

TABLED by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Daly, Gonzalez, Peskin
Excused: 1 - Ammiano

031767 [Appointment, Public Utilities Commission]
Motion rejecting the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission. (Mayor)

NOT APPROVED by the following vote:
Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Daly, Gonzalez, Peskin
Excused: 1 - Ammiano

031768 [Appointment, Public Utilities Commission]
Motion taking no position concerning the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)

Supevisor Hall, seconded by Supervisor Dufty, moved to table this matter.

TABLED by the following vote:
Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Daly, Gonzalez, Peskin
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed, general issues
Gloria Lismore, SF Police issues
Male Speaker, Human Rights Commission issues, Kevin Williams
Francisco DeCosta, Human Rights Commission issues, Kevin Williams
Andrew Boseman, Human Rights Commission issues, Kevin Williams
Anita Labsosar, Human Rights Commission issues, Kevin Williams
Ace Washington, Human Rights Commission issues, Kevin Williams

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031821 **[Calling a March 2, 2004 Special Election on Regional Measure 2]**
Supervisor Daly

Resolution calling for a special election to be conducted in the City and County of San Francisco on the question of whether voters shall approve a $1 bridge toll increase on the seven state-owned bridges in the San Francisco Bay Area with the funds to be used for a Regional Traffic Relief Plan, as defined in Senate Bill 916 (Perata).

Resolution No. 755-03
ADOPTED

031822 [Accept-Expend State Grant]
Supervisor Maxwell

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of Ninety-Five Thousand Dollars ($95,000.00) from the State of California, Department of Boating and Waterways, Abandoned Watercraft Fund, for the removal, and disposal of abandoned, wrecked or dismantled vessels or partially submerged objects within the Port's jurisdiction.

Resolution No. 756-03
ADOPTED

031823 [Supporting Fuel Cell Pilot Project at Airport]
Supervisors McGoldrick, Newsom

Resolution urging the Airport Director to initiate with other relevant departments a Fuel Cell Pilot Project at San Francisco International Airport (SFIA) in conjunction with the U.S. Department of Transportation (USDOT), Federal Aviation Administration (FAA), and the California Public Utilities Commission (CPUC) to enhance and improve the reliability and security of critical air traffic and airport operations at SFIA.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 757-03
ADOPTED

031824 [S.S. Jeremiah O'Brien]
Supervisors Peskin, Sandoval, Hall

Resolution urging the Port of San Francisco to enter into a 10-year lease with the S.S. Jeremiah O'Brien at its current berth on Pier 45.

Supervisors Sandoval and Hall requested to be added as co-sponsors.

Resolution No. 758-03
ADOPTED

031809 [Final Map for a 6 Unit Residential Condominium Project]
Motion approving Final Map of 52 Sheridan Street, A Residential Condominium Project, being a subdivision of Lot 34 in Assessor's Block No. 3519, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,500; District 6.)

Motion No. M03-198
APPROVED

031820 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-199
APPROVED

031825 **[Authorizing preparation of a written Proponent ballot argument and rebuttal argument on the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 on the March 2, 2004 ballot]**
Supervisor Sandoval

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 for publication in the voter information pamphlet for the March 2, 2004 election.

Motion No. M03-200
APPROVED

031849 **[City's Consolidated Annual Financial Report (CAFR)]**
Supervisor Daly

Resolution authorizing the Controller to print the City's Consolidated Annual Financial Report (CAFR) on an annual basis as well as posting it on the web.

Resolution No. 759-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Gonzalez, Newsom
Excused: 1 - Ammiano

Severed From Without Reference to Committee Agenda

It was decided to Supervisor Daly requested that this matter be severed so that it could be considered separately..

031850 **[Public Hearing Approval]**
Supervisor Hall

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $60,000,000 for the Music Concourse Community Partnership.

Resolution No. 740-03
ADOPTED by the following vote:
Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Daly, Gonzalez, Newsom
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021575 **[General Plan Amendments - 888 Howard Street Hotel]**
Supervisors Daly, Sandoval, McGoldrick, Maxwell

Ordinance amending the San Francisco General Plan in connection with approval of the 888 Howard Street Hotel Project by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 of the Downtown Area Plan of the General Plan to reclassify the use designation of the property located at 888 Howard Street, Lot 066 in Assessor's Block 3724, from C-3-S to C-3-S(SU) and the height and bulk of the property from 160-F to 320-S; adopting findings. (Planning Department)

9/25/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/30/2002.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

11/18/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

11/18/03, ASSIGNED to Land Use Committee.

021577 **[Planning Code Amendments in connection with 888 Howard Street Hotel Project]**
Supervisors Daly, Sandoval, McGoldrick, Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 123, Table 124 and Section 138 and by adding new Section 247, to create a C-3-S(SU) Downtown Support Special Use District within the C-3-S zoning district to allow development of a Hotel Project with a basic and maximum floor area ratio (after purchase of all market-rate, available Transfer Development Rights within the C-3-S zoning district or contribution of an equivalent amount of money under specified conditions) of 7.5 to 1, to include the new C-3-S(SU) zoning district within the definition of "gross floor area" and to provide that the minimum open space requirement for the new C-3-S(SU) zoning district is one square foot for every 50 gross square feet of uses; adopting findings. (Planning Department)

9/25/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

11/18/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new tile.

11/18/03, ASSIGNED to Land Use Committee.

030677 **[Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]**
Supervisor Peskin

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)

4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

7/23/03, TRANSFERRED to Finance and Audits Committee. The Budget Analyst reports that this item has fiscal impact.

11/18/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/18/03, ASSIGNED to Finance and Audits Committee.

031871 **[Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]**
Mayor

Ordinance appropriating $3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes $3,120,000 for purchasing and closing costs of the property and $680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.

(Fiscal impact.)
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for December 3, 2003 meeting.

031872 **[To appropriate funding for the December 2003 run-off election]**
Mayor

Ordinance appropriating $2,016,330 from the Proposition A Implementation Project and re-appropriating $274,000 of permanent salaries for a total of $2,290,330 to the operating fund for temporary salaries, non-personal services, materials and supplies and services of other departments associated with the December 2003 run-off election for the Department of Elections for fiscal year 2003-04.

(Fiscal impact.)
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031873 **[Memorandum of Understanding - Police]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Police) to be effective July 1, 2003 through June 30, 2005.
11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

031874 **[Memorandum of Understanding - Fire]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Fire) to be effective July 1, 2003 through June 30, 2005.
11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

031876 **[Regulation of Permit Expediters]**
Supervisors Newsom, Daly, Gonzalez

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit expediters.
11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

031878 [Establishing an Alternative Affordable Housing and Home Ownership Bond Program]
Supervisor Sandoval

Draft Ordinance amending the San Francisco Administrative Code by adding a new Article IIIA, consisting of Sections 43.3A.1 through 43.3A.11 to establish an alternative affordable housing and home ownership bond program.
11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

031879 [Residential Rent Ordinance-Keys]
Supervisor Daly

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless the landlord promptly denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a landlord or a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.
11/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/18/2003.

031880 [Amending Fire Code to require self-contained breathing replenishment systems in high rise building]
Supervisors Dufty, Daly

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after June 30, 2004.
11/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/18/2003.

Resolutions

031881 [2004-2007 Children's Service Allocation Plan]
Supervisor Daly

Resolution approving the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.
11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

031882 [Review of Concession Opportunity]
Supervisor Peskin

Resolution authorizing the Director of the Department of Administrative Services to issue a request for proposals for the award of an agreement for use of sites owned or occupied by the City and County of San Francisco for beverage vending services.
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031883 [Mortgage Revenue Bonds]
Mayor

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage bonds in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the Director to deposit with the Controller's Office an amount not to exceed $125,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application.

(No Public Benefit Recipient.)
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031884 [Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program]
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $2,600,000, which includes indirect costs of $30,000.

(No Public Benefit Recipient.)
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031885 [Settlement of Claim]
Supervisor Hall

Resolution approving the settlement of the unlitigated claim of Louise Renne, Patrick Devlin, June Lilienthal, Virginia Leishman, Charles Meyers, Alene Meyers, Charles Levinson, and Robert Neal against San Francisco, relating to the use of tobacco settlement revenues by the Department of Public Health; material terms of said settlement are contained in the Settlement Agreement on file with the Clerk of the Board of Supervisors.
11/18/03, RECEIVED AND ASSIGNED to Rules Committee.

031886 [Extending the Cooperative Agreement between TIDA and the U.S. Navy through which TIDA provides caretaker services at former Naval Station Treasure Island]
Mayor

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 16th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2004.
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031887 **[Agreement to Purchase 850 Broderick Street]**
Mayor

Resolution approving and authorizing an agreement for the purchase of real property located at 850 Broderick Street to house low-income people for a purchase price of $3,100,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, making certain modifications and take certain actions in furtherance of this resolution.

(Fiscal impact; Companion measure to File 031871.)
11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 3, 2003 meeting.

031890 **[Extension of Grant Agreement]**
Supervisor Daly

Resolution authorizing the Director of Public Works or his designee to apply for one-year extensions of Federal and State grants expiring on June 30, 2004.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031891 **[Extension of Planning Commission Review Period]**
Supervisor Gonzalez

Resolution extending for 45 additional days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding section 703.3 and by amending section 182 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of section 312 of the Planning Code, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031892 **[Commending Nancy Warren]**
Supervisors Maxwell, Newsom

Resolution commending Nancy Warren for her work to manage and prevent asthma in San Francisco and for her support to the San Francisco Asthma Task Force and proclaiming the 24th of November as Nancy Warren Day.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031893 **[Gun Shows at Cow Palace]**
Supervisor Sandoval

Resolution urging the state to take appropriate action to ban gun shows at Cow Palace.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031894 **[Declaration of November 4, 2003 Election Results]**
Resolution declaring the results of the November 4, 2003 Consolidated Municipal Election. (Elections Department)
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 11/25/03 - Certified copy of Resolution sent to the Deparment of Elections.

031847 **[Ground Lease of Redevelopment Agency Land for Plaza Apartments]**
Supervisor Gonzalez

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3725, Lot 025, commonly known as 988-992 Howard Street, to Plaza Apartments Associates, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low-income senior households.

(Fiscal impact.)
11/10/03, RECEIVED AND ASSIGNED to Board of Supervisors. 11/15/03,11/22/03 Fee ad publication dates.
11/10/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole December 9, 2003, at 4:00 p.m

Requests for Hearing

031875 **[Hospital and Nursing Home Discharge Planning Task Force's Final Report]**
Supervisor Dufty

Hearing to consider the Hospital and Nursing Home Discharge Planning Task Force's written Final Report.
11/18/03, RECEIVED AND ASSIGNED to Rules Committee.

031889 **[DPH policy for substance abuse treatment services]**
Supervisor Dufty

Hearing to consider the need for establishing a City and Department of Public Health (DPH) policy for substance abuse treatment services for adolescents and young adults; and, the need for a continuum from treatment to transitional housing that encourages positive outcomes, involving the Department of Public Health.
11/18/03, RECEIVED AND ASSIGNED to City Services Committee.

031846 **[Hearing - Ground Lease of Redevelopment Agency Land for Plaza Apartments]**
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3725, Lot 025, commonly known as 988-992 Howard Street, to Plaza Apartments Associates, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low-income senior households. (Clerk of the Board)
11/10/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole December 9, 2003, at 4:00 p.m.

031877 [Police Department]
Supervisor Gonzalez

Hearing to discuss recent allegations that the Police Department has allowed numerous complaints of police misconduct received from the Office of Citizen Complaints, as well as other types of complaints, to become misplaced and/or improperly forwarded for review and possible disciplinary action. Cases that are not forwarded within one year of receipt are subject to a statute of limitation, and are thus deemed "dead."
11/18/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

031870 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

031799 [Settlement of Lawsuit - Curtis McGlothin]
Ordinance authorizing settlement of the lawsuit filed by Curtis McGlothin against the City and County of San Francisco for $165,000; the lawsuit was filed on August 7, 2002 in San Francisco Superior Court, Case No. 411-241; entitled Curtis McGlothin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
11/3/03, RECEIVED AND ASSIGNED to Rules Committee.

031807 [Settlement of Lawsuit - Teresa Lau]
Ordinance authorizing settlement of the lawsuit filed by Teresa Lau against the City and County of San Francisco for $93,500; the lawsuit was filed on September 27, 2001 in San Francisco Superior Court, Case No. 324-939; entitled Teresa Lau, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
11/3/03, RECEIVED AND ASSIGNED to Rules Committee.

031832 [Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As a Landmark Under Planning Code Article 10]
Supervisor Daly

Ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As Landmark No. 238 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

(No Public Benefit Recipient.)
11/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

031833 **[Denying taxi driver permits to applicants having certain criminal convictions within four years]**
Ordinance amending the San Francisco Police Code by amending Section 1089, to provide that persons having certain criminal convictions shall not be eligible to receive a taxi driver permit for four years after the date of conviction. (Taxi Commission)

(No Public Benefit Recipient.)
11/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031808 **[Prevailing Wage Rates]**
Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; and workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

(No Public Benefit Recipient.)
10/31/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031810 **[Pedestrian Injury Surveillance]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $99,350 from the Centers for Disease Control and Prevention (CDC) to analyze pedestrian injury patterns and evaluate the effectiveness of countermeasures and to enter into an agreement for the use of these funds; for the period of September 1, 2003, to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)
11/3/03, RECEIVED AND ASSIGNED to City Services Committee.

031831 **[Agreement to exchange real property related to the former Central Freeway parcels in the Hayes Valley neighborhood]**
Resolution approving and authorizing agreements for the exchange of certain real property with the State of California; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)
11/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031844 **[Contract funds for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $100,929 for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men; for the period of October 1, 2003 to September 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)
11/7/03, RECEIVED AND ASSIGNED to City Services Committee.

031845 **[Accept-Expend Regional Grant]**
Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling $248,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

(No Public Benefit Recipient.)
11/10/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031848 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Sheriff's Department: to accept and expend a three-year grant in the amount of $1,229,622 from the U.S Department of Education for providing a life skills program to women offenders. (Sheriff)

(Public Benefit Recipient.)
11/12/03, RECEIVED AND ASSIGNED to City Services Committee.

031851 **[Transfer State funds to CMHDA for contract services to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]**
Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2003 through June 30, 2004. (Public Health Department)

(Public Benefit Recipient.)
11/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the November 26, 2003 meeting.
11/17/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Requests Granted

From: Supervisors Dufty, Ma
To: City Attorney
Requesting/Inquiring: To draft an Ordinance to require that prior to the Board of Supervisors approving any ordinance or settlement involving the transfer of City-owned property a notification process pursuant to the Planning Department's Section 311 or Section 312 requirements.

In Memoriams

Dympna Brown (Entire Board)
DeShawn Dawson (Entire Board)
Nicholas Andrew Sommerfield (Supervisor Hall)
Donald S. Lucas (Supervisors Ammiano, Dufty)

ADJOURNMENT

There being no further business, the Board at the hour of 11:17 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 16, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

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Tuesday, November 25, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, the following Supervisor was noted absent.

Quorum present.

Supervisor Daly was previously excused. (See Infra)

Supervisor Daly Excused from Attendance

Supervisor Peskin, seconded by Supervisor Dufty, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve October 28, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

CONSENT AGENDA

Recommendation of the Budget Committee

031793 **[Financial Privacy]**
Supervisor Peskin

Ordinance amending Section 2000 of Article 20 of the Business and Tax Regulation Code, the "San Francisco Financial Information Privacy Ordinance," to postpone the date upon which Article 20 is set to become operative from January 1, 2004 to July 1, 2004.

Ordinance No. 268-03
FINALLY PASSED

Recommendation of the Finance and Audits Committee

031657 **[Appropriation of funding and creation of special fund for the Octavia Boulevard Project]**
Supervisor Peskin

Ordinance appropriating $12,903,999 from the land sales to the San Francisco Redevelopment Agency and $1,106,631 in lease revenues from the Central Freeway land parcels for a total of $14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Ordinance No. 271-03
FINALLY PASSED

Recommendations of the Land Use Committee

031603 **[Generation Solar: Residential and Commercial Solar Program]**
Supervisors Ammiano, McGoldrick, Maxwell, Daly, Gonzalez

Ordinance requiring the Public Utilities Commission and the Department of the Environment in consultation with other City departments to implement Generation Solar, a solar program for the residential and commercial sectors.

(No Public Benefit Recipient.)

Ordinance No. 270-03
FINALLY PASSED

031694 **[Traffic Code - Amending Section 32.1.1 to update location of Main Public Library]**
Ordinance amending Section 32.1.1 of the San Francisco Traffic Code to update the location of parking restrictions on the blocks adjacent to the San Francisco Main Library. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 272-03
FINALLY PASSED

Recommendation of the Rules Committee

031662 **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Fireman's Fund Insurance Company and Richard Dennes against the City and County of San Francisco.

(Public Benefit Recipient.)

Resolution No. 763-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

031895 **[Adopting findings related to the tentative subdivision map appeal on property located at 32 Uranus Terrace]**

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving a tentative map that legalizes the proposed construction of a two unit new condominium project at 32 Uranus Terrace (Lot 3 in Assessor's Block 2655). (Clerk of the Board)

(Companion measure to Files 031783, 031784, 031785, 031786.)

Motion No. M03-202

APPROVED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

From the Budget Committee "Without Recommendation"

031811 **[Development and Lease of Piers 27-31]**
Supervisors Peskin, Gonzalez

Resolution urging the Port Commission not to Extend the Exclusive Right to Negotiate Agreement with the Mills Corporation and to Re-issue the Request for Proposals for the Development and Lease of Piers 27-31 as a Mixed-Use Recreation Project.

Supervisor McGoldrick was previously excused from voting on this matter at the November 18, 2003 Board meeting.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be TABLED. The motion carried by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

Recommendations of the City Services Committee

030995 **[Licensing and regulation of massage practitioners and businesses]**
Supervisors Daly, Peskin, Dufty, Ma, Gonzalez, Ammiano

Ordinance amending the San Francisco Police Code by repealing Article 27 (Sections 2700 through 2737), and amending the San Francisco Health Code by adding a new Article 29 (Sections 1900 through 1931), both Articles providing for the licensing and regulation of massage practitioners and businesses, and establishing an operative date for the ordinance.

Ordinance No. 269-03
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

031866 **[Waiving Police and Fire fees for Immigrant Pride Day 2003]**
Supervisors Gonzalez, Daly

Ordinance waiving fees associated with Immigrant Pride Day 2003 assessed by the San Francisco Police and Fire Departments; urging the Municipal Transportation Agency to waive its fees associated with the same event.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Finance and Audits Committee

031320 **[Golden Gate Park Concourse Underground Parking Facility Fees]**
Supervisor Peskin

Ordinance making environmental findings and amending the San Francisco Park Code by adding Section 12.35 to establish rates for the Golden Gate Park Concourse Underground Parking Facility.

Ordinance No. 262-03
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Gonzalez
Excused: 1 - Daly

From the Rules Committee "Without Recommendation"

031561 **[Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]**
Supervisors Ammiano, Daly, Gonzalez

Charter amendment (Third Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

ORDERED SUBMITTED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Newsom
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031466 **[Creating Exemption for Administrative Fee for Provision of Additional Police Services Pursuant to Administrative Code Section 10B.2.]**
Supervisors Peskin, Sandoval

Ordinance amending San Francisco Police Code Section 10B.2 to create an exception for payment of an administrative fee for contracting for additional police services.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031643 **[License Agreement with Broadcast Music Incorporated]**
Ordinance authorizing the City Administrator to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyer's Association and Broadcast Music Incorporated to license music uses by the City under a license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds $25,000, providing that prior to the issuance by any City Department or agency of any lease or permit to conduct an event on property owned or operated by the City and County of San Francisco at which music will be used, the leasee or permittee shall obtain an appropriate license from Broadcast Music Incorporated for the use of music at the event, and requiring that if an appropriate license for the use of music at the event is not obtained by the leasee or permittee, the City department or agency issuing the lease or permit shall provide funds to the City Admninistrator sufficient to cover any fees incurred pursuant to the City's Local Government Licensing Agreement with Broadcast Music Incorporated. (City Administrator)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031703 **[Joint Use Cooperative Agreements between the S.F. Public Library and the SFUSD]**
Supervisors Ammiano, Newsom, Ma

Resolution approving the Joint Use Cooperative Agreements between the San Francisco Public Library and the San Francisco Unified School District for the purpose of Proposition 14 grant applications to construct the Ingleside, Portola, Visitacion Valley, and Ortega branch libraries.

Supervisors Newsom and Ma requested to be added as co-sponsors.

Resolution No. 764-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Rules Committee

031708 **[Citizens Advisory Committee on Elections]**
Supervisor Hall

Ordinance amending the San Francisco Municipal Elections Code, by repealing Sections 700 through 760, regarding the Citizens Advisory Committee on Elections.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031709 **[Dissolving the Advisory Committee on Adult Detention]**
Supervisor Hall

Ordinance amending the San Francisco Administrative Code, by repealing Sections 13.70 through 13.75, regarding the Advisory Committee on Adult Detention.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031704 **[Dissolving the Advisory Committee to Fulfill the Charter Reform Mandate]**
Supervisor Hall

Resolution repealing Resolution No. 283-94, to dissolve the "Advisory Committee to Fulfill the Charter Reform Mandate."

Resolution No. 765-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031705 **[Dissolving the Citizens Committee for Public Participation In Waste Water Project Evaluation]**
Supervisor Hall

Resolution repealing Resolution No. 19-73, to dissolve the "Citizens Committee for Public Participation In Waste Water Project Evaluation."

Resolution No. 766-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031706 **[Dissolving the National Service Blue Ribbon Commission]**
Supervisor Hall

Resolution repealing Resolutions Nos. 300-93 and 894-93, to dissolve the "National Service Blue Ribbon Commission."

Resolution No. 767-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031707 **[Dissolving the Ballpark/Arena Advisory Committee]**
Supervisor Hall

Resolution repealing Resolution No. 1012-93, to dissolve the "Ballpark/Arena Advisory Committee."

Resolution No. 768-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recess

The Board recessed at the hour of 3:11p.m.

Reconvening of the Board

The Board at the hour of 4:11 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick - 6

Quorum present.

Supervisors Dufty and Peskin noted present at 4:13 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

031730 **[Public Hearing]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

John Kwong, Department of Public Works

The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

031731 **[Report of Assessment costs for sidewalk and curb repairs - DPW Order No. 174,392]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,392; Location: 690 Folsom Street.)

Resolution No. 769-03

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Newsom, Sandoval
Excused: 1 - Daly

Recess

The Board recessed at the hour of 4:18 p.m.

Reconvening of the Board

The Board at the hour of 4:34 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval - 9

Supervisor McGoldrick noted present at 4:36 p.m.

Quorum present.

SPECIAL ORDER 4:30 P.M.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**
Supervisor Peskin

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to continue this matter to December 16, 2003.

CONTINUED by the following vote:
Ayes: 6 - Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Newsom
Excused: 1 - Daly

COMMITTEE REPORTS

031644 **[Liquor License, 686 Mission Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mary Lynn Slattery and Nancy Rowland for VinoVenue, located at 686 Mission Street (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with condition.

Resolution No. 762-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

021575 **[General Plan Amendments - 888 Howard Street Hotel]**
Supervisors Daly, Sandoval, McGoldrick, Maxwell

Ordinance amending the San Francisco General Plan in connection with approval of the 888 Howard Street Hotel Project by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 of the Downtown Area Plan of the General Plan to reclassify the use designation of the property located at 888 Howard Street, Lot 066 in Assessor's Block 3724, from C-3-S to C-3-S(SU) and the height and bulk of the property from 160-F to 320-S; adopting findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Ammiano
Excused: 1 - Daly

021576 **[Zoning Map Amendments - 888 Howard Street Hotel]**
Supervisors Daly, Sandoval, McGoldrick, Maxwell

Ordinance amending Sheets 1 and 1H of the Zoning Map of the City and County of San Francisco for property located at 888 Howard Street, Lot 066 in Assessor's Block 3724, to change the height and bulk limits of the property from 160-F To 320-S and to change the use district from C-3-S to C-3-S (SU); adopting findings. (Planning Department)

(Planning Commission Resolution #16410 approving Reclassification Application No. 2000.790ZM dated 5/23/02; Resolution #16420 approving Planning Code Tax Amendments and Reclassification Application No. 2000.790TZM on 6/6/02; Resolution #16408 approving CEQA findings for Application No. 2000.790E on 5/23/02; Motion #16409 approving Conditional Use Application No. 2000.961C on 5/23/02; Motion #16421 approving Section 309 Application No. 2000.790X on 6/6/02; Final Environmental Impact Report dated 1/10/02; Case No. 2000.790EKXCTZM; companion measure to Files 021575, and 021577.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Ammiano
Excused: 1 - Daly

021577 **[Planning Code Amendments in connection with 888 Howard Street Hotel Project]**
Supervisors Daly, Sandoval, McGoldrick, Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 123, Table 124 and Section 138 and by adding new Section 247, to create a C-3-S(SU) Downtown Support Special Use District within the C-3-S zoning district to allow development of a Hotel Project with a basic and maximum floor area ratio (after purchase of all market-rate, available Transfer Development Rights within the C-3-S zoning district or contribution of an equivalent amount of money under specified conditions) of 7.5 to 1, to include the new C-3-S(SU) zoning district within the definition of "gross floor area" and to provide that the minimum open space requirement for the new C-3-S(SU) zoning district is one square foot for every 50 gross square feet of uses; adopting findings. (Planning Department)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Ammiano
Excused: 1 - Daly

031497 **[Extending deadlines by ten days for scheduling and/or deciding appeals under Planning Code Section 308.1 when the Board does not conduct at least three regular meetings during a deadline period]**
Supervisors Gonzalez, McGoldrick, Maxwell, Daly

Ordinance amending San Francisco Planning Code Section 308.1 to extend deadlines by ten days, from 30 days to 40 days, for scheduling and/or deciding appeals under Section 308.1 when the Board of Supervisors does not conduct at least three regular meetings during a deadline period.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; Happy holiday wishes; general issues
Vernon Jenkins; general issues
John Dedonna; Sr. Bernard arrested issues
Ms. Detoy, AFL-CIO Representative; Employee Free Choice
Male Speaker; First Amendment issue; against Item 34 on the Without Reference to Committee Agenda
Bob Kasel; waterfront issues
Richard Robinson; assist to renovate property
Rusty Holden; process of PG&E installation of power lines

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031890 **[Extension of Grant Agreement]**
Supervisor Daly

Resolution authorizing the Director of Public Works or his designee to apply for one-year extensions of Federal and State grants expiring on June 30, 2004.

Resolution No. 760-03
ADOPTED

031891 **[Extension of Planning Commission Review Period]**
Supervisor Gonzalez

Resolution extending for 45 additional days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding section 703.3 and by amending section 182 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of section 312 of the Planning Code, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Resolution No. 770-03
ADOPTED

031892 **[Commending Nancy Warren]**
Supervisors Maxwell, Newsom

Resolution commending Nancy Warren for her work to manage and prevent asthma in San Francisco and for her support to the San Francisco Asthma Task Force and proclaiming the 24th of November as Nancy Warren Day.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 772-03
ADOPTED

031893 **[Gun Shows at Cow Palace]**
Supervisor Sandoval

Resolution urging the state to take appropriate action to ban gun shows at Cow Palace.

Resolution No. 771-03
ADOPTED

031894 **[Declaration of November 4, 2003 Election Results]**
Resolution declaring the results of the November 4, 2003 Consolidated Municipal Election. (Elections Department)

Resolution No. 761-03
ADOPTED

031870 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-201
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Hall
Excused: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031930 **[Planning Code Amendments - The Old Mint]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P (Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property; adopting findings.
11/25/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/25/2003.

031931 **[Funding for irrigation and mitigation improvements for the Sunol Valley Golf Course]**
Supervisor Sandoval

Ordinance appropriating $2,500,000 from the Water Fund Balance for irrigation and mitigation for the Sunol Valley Golf Course in fiscal year 2003-04.

(Fiscal impact.)
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031932 **[Restricting the sale of large caliber firearms, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms sales]**
Supervisor Gonzalez

Ordinance amending the Police Code by amending Sections 613.1 and 613.10 to delete requirements relating to "Saturday Night Specials" and security practices for firearms dealers that have been superseded by state law; amending Section 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license; amending Section 613.10-1 to restrict the sale of large caliber firearms, and adding a new section 619, requiring owners of firearms to report the loss or theft of a firearm to the Police Department.
11/25/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 12/25/2003.

031933 **[Parking Meter Rates]**
Supervisors Peskin, Ammiano, McGoldrick

Ordinance repealing increase in parking meter rates in parking meter area number three, as defined in Article 12 of the San Francisco Traffic Code, Section 203.3.

(Fiscal impact.)
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031934 **[City-owned cars assigned to the District Attorney]**
Supervisor Peskin

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).
11/25/03, RECEIVED AND ASSIGNED to Rules Committee.

031937 **[City Hall - City Hall Preservation Advisory Commission]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add section 5.240 establishing the City Hall Preservation Advisory Commission.
11/25/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

031923 **[Certification to Accompany Application for State Grant for construction of an Ingleside Branch Library]**
Mayor, Supervisors Sandoval, Daly, Hall

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031924 **[Certification to Accompany Application for State Grant for construction of a new Ortega Branch Library]**
Mayor, Supervisor Ma

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031925 **[Certification to Accompany Application for State Grant for construction of a Portola Branch Library]**
Mayor, Supervisor Maxwell

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031926 **[Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]**
Mayor, Supervisor McGoldrick

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031927 **[Certification to Accompany Application for State Grant for construction of a Visitacion Valley Branch Library]**
Mayor, Supervisor Maxwell

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

031928 **[Lease of Property]**
Supervisors Peskin, Daly

Resolution authorizing a 25-year Lease of San Francisco Public Utilities Land between the City and County of San Francisco and Sunol Valley Golf & Recreation Co., in Alameda County.

(Fiscal impact; Public Benefit Recipient.)
11/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 3, 2003 Special Meeting.

031929 **[San Francisco Law Library Justice Center]**
Mayor, Supervisor Gonzalez

Resolution in support of the San Francisco Law Library Justice Center at 525 Golden Gate Avenue.
11/25/03, RECEIVED AND ASSIGNED to City Services Committee.

031938 **["STOP" Intersection]**
Supervisor Newsom

Resolution designating Jefferson and Webster intersection as a one-way "STOP" intersection.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031939 **[Universal Declaration of Human Rights and the Employee Free Choice Act: HR3619]**
Supervisors Sandoval, Maxwell, Gonzalez, Ma

Resolution urging San Francisco employers to abide by the Universal Declaration of Human Rights and urging the 108th United States Congress to pass the Employee Free Choice Act.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031940 **[Prevailing Wage Law]**
Supervisor Ma

Resolution supporting the California Legislature's conclusion that the prevailing wage law addresses statewide concerns.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031941 **[Commending Raoul Wallenberg]**
Supervisors Sandoval, Peskin, Ma, Dufty

Resolution commending the Raoul Wallenberg Jewish Democratic Club for providing a strong voice for the Jewish community in local politics and within the larger Democratic Party for the last twenty years.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031942 **[Emergency Communications Department Annual Report]**
Supervisor Ma

Resolution approving the printing of not more than 100 hard copies of the Emergency Communications Department Annual Report for FY 2002-2003.

(No Public Benefit Recipient.)
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031943 **[Designation of 2550 Mission Street, the New Mission Theater, as a Landmark]**
Supervisors Ammiano, Daly

Resolution initiating the designation of 2550 Mission Street, the New Mission Theater, Block 3616, Lot 007, as a landmark pursuant to Section 1004.1 of the Planning Code.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031944 **[Traffic Regulation - Maiden Lane]**
Supervisor Peskin

Resolution Enacting "Street Closed To Vehicular Traffic" Regulation on Maiden Lane, Between Stockton and Kearny Streets, From 11 A.M. to 6 P.M., Every Day Including Holidays.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

031935 **[Pedestrian safety in Visitacion Valley]**
Supervisor Maxwell

Hearing to address pedestrian safety in Visitacion Valley. The Police Department, Department of Parking and Traffic, MUNI, Department of Public Works and other City departments, in addition to neighborhood organizations will be invited to outline their response to pedestrian safety issues plaguing this area and to make recommendations to the Board of Supervisors as to what actions the Board can take to support and augment their efforts.
11/25/03, RECEIVED AND ASSIGNED to City Services Committee.

031936 **[Citizens Advisory Committee for the Natural Areas Program]**
Supervisor Gonzalez

Hearing to consider the work of the Citizens Advisory Committee for the Natural Areas Program.
11/25/03, RECEIVED AND ASSIGNED to Rules Committee.

Motions

031922 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031945 **[Preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments approved by the Board of Supervisors for submittal to the voters at the March 2, 2004 Election]**
Supervisor Gonzalez

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments approved by the Board of Supervisors for submittal to the voters at the March 2, 2004 election
11/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

031839 **[Sidewalk Parking Fine Increase]**
Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from $75.00 to $100.00 as of January 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule. (Parking and Traffic Department)

(No Public Benefit Recipient.)
11/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
11/17/03, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

031855 **[Settlement of Lawsuit - Poppie Kouremetis]**
Ordinance authorizing the settlement of lawsuit filed by Poppie Kouremetis against the City and County of San Francisco for $95,000; the lawsuit was filed on May 13, 2002, in San Francisco Superior Court and was removed to United States District Court, Case No. C02-02980 MEJ, entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
11/17/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

031836 **[Contracting out Status Offender Shelter and Intake Services]**
Supervisor Dufty

Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Juvenile Probation Department)

(Public Benefit Recipient.)
11/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031843 **[HIV risk behavior surveillance among men who have sex with men]**
Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $172,882 from the Centers for Disease Control and Prevention (CDC) for HIV risk behavior surveillance among men who have sex with men and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)
11/13/03, RECEIVED AND ASSIGNED to City Services Committee.

031852 **[Accept-Expend Federal/State Grant - Victim/ Witness Assistance Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $562,287 through the California Office of Criminal Justice Planning for the operation of a program entitled "Victim/Witness Assistance Program." (District Attorney)

(No Public Benefit Recipient.)
11/14/03, RECEIVED AND ASSIGNED to City Services Committee.

031853 **[Accept-Expend Federal Grant - Threat Management/Stalking Vertical Prosecution Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $140,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Threat Management/Stalking Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)
11/14/03, RECEIVED AND ASSIGNED to City Services Committee.

031854 **[Accept-Expend Grant - Violence Against Women Vertical Prosecution Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $108,812 through the California Office of Criminal Justice Planning for the operation of a program entitled "Violence Against Women Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)
11/14/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Hall
To: Public Utilities Commission
To: Department of Environment
To: Recreation and Park Department
To: Department of Public Works
Requesting/Inquiring: What steps have been taken, to create one position within the Department of Environment, to be funded by all four Departments (Public Utilities Commission, Department of Environment, Recreation and Park Department, Department of Public Works), that will be responsible for all Ocean Beach issues?

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft a Charter Amendment altering the manner in which a Mayor may appoint a member of the Board of Supervisors "Acting Mayor".

In Memoriams

Margaret Singer (Supervisors Dufty, Maxwell, Peskin)
Luiz C. Rebeiro (Supervisors Dufty, Ma)
Michael O. Gutierrez (Supervisor Dufty)
Lawrence A. Smookler (Supervisor Ma)

ADJOURNMENT

There being no further business, the Board at the hour of 4:38 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
APR - 2 2004
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, December 16, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
590
#72
12/16/03

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Newsom was noted absent.

Supervisor Newsom was excused from attending meeting. (See Infra)

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Peskin, moved to approve November 18, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

031747 **[Revising permit fee and planning review surcharges applicable to permits and review activities subject to review by the Board of Appeals]**
Supervisors Peskin, Dufty

Ordinance amending the Administrative Code by amending Section 10G.1 to correct erroneous Planning and Building Code citations, revising permit surcharges on permits issued by the Department of Building Inspection, the Taxi Commission, the Police Department and the Department of Public Works permits where such permits are subject to appeal before the Board of Appeals, revising the surcharge on fees imposed by the Planning Department for review of permits where such permits are subject to appeal before the Board of Appeals, and making environmental findings.

Ordinance No. 282-03
FINALLY PASSED

031962 **[Contracting Out Own Recognizance, Pretrial Diversion, and Misdemeanant Services]**

Resolution approving the Controller's certification that own recognizance release, pretrial court diversion, and supervised misdemeanant services provided to arrested persons in the City and County of San Francisco can be practically performed by private contractors at a lower cost for the year commencing July 1, 2003 than if work were performed by City and County employees. (Sheriff)

(Public Benefit Recipient.)

Resolution No. 809-03
ADOPTED

Recommendations of the Rules Committee

031790 **[Settlement of Lawsuit - Mamei Wei]**

Ordinance authorizing settlement of the lawsuit filed by Mamei Wei against the City and County of San Francisco and Ray Contreras for $250,000; the lawsuit was filed on December 20, 2002 in U.S. District Court for the Northern District of California, Case No. C02-5887 TEH entitled Mamei Wei v. City and County of San Francisco and Ray Contreras. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 283-03
FINALLY PASSED

031799 **[Settlement of Lawsuit - Curtis McGlothin]**

Ordinance authorizing settlement of the lawsuit filed by Curtis McGlothin against the City and County of San Francisco for $165,000; the lawsuit was filed on August 7, 2002 in San Francisco Superior Court, Case No. 411-241; entitled Curtis McGlothin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 285-03
FINALLY PASSED

031807 **[Settlement of Lawsuit - Teresa Lau]**

Ordinance authorizing settlement of the lawsuit filed by Teresa Lau against the City and County of San Francisco for $93,500; the lawsuit was filed on September 27, 2001 in San Francisco Superior Court, Case No. 324-939; entitled Teresa Lau, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 284-03
FINALLY PASSED

031855 **[Settlement of Lawsuit - Poppie Kouremetis]**

Ordinance authorizing the settlement of lawsuit filed by Poppie Kouremetis against the City and County of San Francisco for $95,000; the lawsuit was filed on May 13, 2002, in San Francisco Superior Court and was removed to United States District Court, Case No. C02-02980 MEJ, entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

031912 **[Settlement of Lawsuit - Leo Rivkin]**

Ordinance authorizing settlement of the lawsuit filed by Leo Rivkin against the City and County of San Francisco for $110,000; the lawsuit was filed on February 22, 2001 in San Francisco Superior Court, Case No. 319-085; entitled Leo Rivkin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

031913 **[Settlement of Lawsuit - Janet Prieto]**

Ordinance authorizing settlement of the lawsuit filed by Janet Prieto against the City and County of San Francisco for $85,000; the lawsuit was filed on January 2, 2002 in the San Francisco Superior Court, Case No. 403048; entitled Janet V. Prieto v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

031946 **[Settlement of Lawsuit - Billy Clark]**

Ordinance authorizing settlement of the lawsuit filed by Billy Clark against the City and County of San Francisco for $50,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-372; entitled Billy Clark v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

031576 **[Appointment]**

Resolution appointing LeConte Dill and Gloria Thornton, terms ending June 30, 2005 to the Asthma Task Force. Residency requirement waived.

LeConte Dill, (residency requirement waived) succeeding Ann Togia, resigned, seat 1, must be a representative of a community-based organization that provides advocacy related to asthma issues in San Francisco and is a voting member; for the unexpired portion of a two year term ending June 30, 2005.
Gloria Thornton, succeeding Carla Furtado, resigned, seat 11, must be a representative of MediCal Managed Care Insurers and is a voting member, for the unexpired portion of a two year term ending June 30, 2005.

Resolution No. 799-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Severed from Consent Agenda

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

031882 **[Review of Concession Opportunity]**
Supervisor Peskin

Resolution authorizing the Director of the Department of Administrative Services to issue a request for proposals for the award of an agreement for use of sites owned or occupied by the City and County of San Francisco for beverage vending services.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Resolution be RE-REFERRED to the Finance and Audits Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Supervisor Daly requested the following items be severed so that they could be considered separately.

031923 **[Certification to Accompany Application for State Grant for construction of an Ingleside Branch Library]**
Mayor, Supervisors Sandoval, Daly, Hall

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 804-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Newsom

031924 **[Certification to Accompany Application for State Grant for construction of a new Ortega Branch Library]**
Mayor, Supervisor Ma

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

Resolution No. 805-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Newsom

031925 **[Certification to Accompany Application for State Grant for construction of a Portola Branch Library]**
Mayor, Supervisor Maxwell

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

Resolution No. 806-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Newsom

031926 **[Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]**

Mayor, Supervisor McGoldrick

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

Resolution No. 807-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Newsom

031927 **[Certification to Accompany Application for State Grant for construction of a Visitacion Valley Branch Library]**

Mayor, Supervisor Maxwell

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

Resolution No. 808-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Newsom

NEW BUSINESS

REGULAR AGENDA

Recommendations of the Finance and Audits Committee

031716 **[Airport Lease Disposition and Development Agreement and Lease]**
Supervisor Hall

Resolution approving the Lease Disposition and Development Agreement and Lease of Plot 9 between Airis SFO, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

The Board reviewed this matter with the Budget Analyst and a Member of the Airport Commission.
Supervisor Sandoval, seconded by Supervisor Ma, moved to refer this matter to Committee.
Motion failed by the following vote:
Ayes: 5 - Dufty, Hall, Ma, Maxwell, Sandoval
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin
Absent: 1- Newsom

Supervisor Hall, seconded by Supervisor Maxwell, moved to continue to January 27, 2004.

Motion failed by the following vote:
Ayes: 4 - Dufty, Hall, Ma, Maxwell
Noes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

NOT ADOPTED by the following vote:
Ayes: 4 - Dufty, Hall, Ma, Sandoval
Noes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Absent: 1 - Newsom

031828 **[Airport Revenue Bonds]**

Resolution approving the issuance of up to $225,000,000 additional aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the issuance of San Francisco International Airport Second Series Variable Rate Revenue Bonds for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport, including by refunding outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the maximum interest rates thereon; Approving the forms of certain documents relating to the Bonds; Approving XI Capital Assurance Inc. as a provider of bond insurance and reserve fund Surety Bonds and the forms of certain documents relating thereto; and Approving certain amendments to the 1991 Master Resolution. (Airport Commission)

Resolution No. 800-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031884 **[Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program] Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $2,600,000, which includes indirect costs of $30,000.

(No Public Benefit Recipient.)

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Resolution be RE-REFERRED to the Finance and Audits Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Sandoval
Noes: 2 - McGoldrick, Peskin
Absent: 1 - Hall
Excused: 1 - Newsom

Recommendations of the Land Use Committee

031701 **[Distribution of literature by a residential tenant in a building to other tenants in the building, regarding matters of common interest or concern to the tenancies]**

Supervisors Peskin, Daly, McGoldrick, Gonzalez, Sandoval, Ammiano

Ordinance adding Administrative Code Chapter 49A "Residential Tenant Communications" regarding a residential tenant's permissible use of common areas to distribute literature to other tenants in the building, including literature distributed on behalf of a tenants' association or other tenants' organization, where the literature relates to issues of common interest or concern to the building's tenancies; distribution may include placement of literature on or in front of tenant doors, with the distributor's name/address/telephone number plainly included for any tenant to opt out of future doorway distributions; and, the landlord may establish other reasonable requirements as to the time, place, manner, and volume, of such literature distribution.

Supervisors Daly, McGoldrick and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Newsom

031832 **[Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As a Landmark Under Planning Code Article 10]**
Supervisors Daly, Peskin, Gonzalez

Ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As Landmark No. 238 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(No Public Benefit Recipient.)

Supervisors Peskin and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031566 **[Interim Controls Regulating Certain Industrially-Zoned Properties on Third Street Between Islais Creek and Paul Avenue]**
Supervisors Maxwell, Gonzalez

Resolution adopting interim controls that would subject the following properties on Third Street between Islais Creek and Paul Avenue, which are currently zoned M (Industrial), to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood Commercial) for a period of twelve months: Assessor's Block 4501, Lots 001, 003, 004, and 005; Block 4881, Lots 012, 018, 022, and 024; Block 4912, Lot 006; Block 4940, Lots 012A, 012B, and 024; Block 5211, Lots 027 and 028; Block 5217, Lot 001; Block 5225, Lot 010; Block 5226, Lots 025, and 028; Block 5235, Lots 003 and 011; Block 5242, Lots 021, 022, 023, 024, and 042; Block 5253, Lots 003, 008, 029, 030, 031, 032, 033, and 034; Block 5260, Lots 001, 002, 003, 032, 034, 035 and 036; Block 5272, Lots 045 and 048; Block 5279, Lots 001, 002 and 003; Block 5414, Lots 005, 006, 007, 008, 025, 026, 027, 028, and 030; Block 5418, Lots 001, 002, and 010; Block 5419, Lots 006, 007, 007B, 007C, 009, 015, 016, 017, and 018; Block 5421, Lot 011; Block 5429, Lot 002; Block 5431A, Lots 001, 001M, 001U, 001V, and 004; adopting findings pursuant to Planning Code Section 101.1.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 820-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

Recommendations of the Rules Committee

031503 **[New administrative debarment procedure]**
Supervisors Peskin, McGoldrick, Gonzalez

Ordinance adding a new Chapter 28 to the San Francisco Administrative Code to establish a City-wide administrative debarment procedure; amending Chapter 6 of the Administrative Code to reflect the adoption of the new Chapter 28.

Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031534 **[Appointment]**

Resolution appointing F.X. Crowley, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

F.X. Crowley, succeeding Robert McDonnell, deceased, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

Supervisor Dufty dissenting in committee.

Continued to January 13, 2004

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031864 **[Appointment, Public Utilities Commission]**

Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - November 20, 2003.

Supervisor Daly discussed with the City Attorney the issues relating to the appointment process and validity of the appointment.

Supervisor Gonzalez reviewed with the Deputy City Attorney the process regarding a member not voting on an item if present in the Chamber.

Motion No. M03-219

APPROVED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Newsom

Recess

The Board recessed at the hour of 3:40 p.m.

Reconvening of the Board

The Board at the hour of 3:45 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval - 9

Quorum present.
Supervisor Maxwell noted present at 3:52 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

Supervisor Hall introduced, welcomed and presented a Certificate of Honor to Karin Carlson, Mayor's Board Liason.

Mayor Willie Brown, Jr. spoke in the recognition of Ms. Carlson.

031999 **[Third Annual Youth Recognition Day]**

Third Annual Youth Recognition Day Presentation. (Clerk of the Board)

Speakers:
Jesse Cottrell, Chair of the San Francisco Youth Commission
Commissioner Mar, Member of the Board of Education

Britt Benson (Supervisor Ma)
Jasmine Marshall (Supervisor Maxwell)
Robert Daniel Wong (Supervisor McGoldrick)
Daniel Panko (Supervisor Newsom) presented by Supervisor Dufty
Melanie Lee Seto (Supervisor Peskin)
Ricardo Iraheta (Supervisor Sandoval)
Vinia Ramos-Castro (Supervisor Ammiano)
Andy Shie Kee Wong (Supervisor Daly)
Antonio Alonzo Ayala (Supervisor Dufty)
Deborah Falch (Supervisor Hall)
Marquez Shaw (Supervisor Gonzalez)

FILED.

SPECIAL ORDER 4:00 P.M.

031888 **[Public Hearing]**

Hearing of persons interested in or objecting to proposed Resolution establishing the modification and renewal of an assessment district known as the Union Square Business Improvement District, ordering the levy and collection of assessments against property located in that district for fiscal years 2004-2005 through 2008-2009, approving an agreement with the Union Square Business Improvement District, Inc. to provide services within the District, repealing Resolution No. 1066-98, creating the Union Square Business Improvement District Advisory Board, and making environmental findings. (Clerk of the Board)

(Companion measure to File 031815.)

Supporting Union Square Business Improvement District

Leigh Ann Baughman, Union Square
Mary McCue, Yerba Buena Gardens
Anson Lee, Ellis - O'Farrell Parking Corporation
Wes Tyler, Chancellor Hotel
Ken Cleaveland, BOMA/SF

Opposing Union Square Business Improvement District
David Blatteis, P.T. Huo Corporation, unfair tax should be based on property size
The President declared the Public Hearing Closed.
Representative of the Department of the Elections gave the results of the Election.
HEARD AT PUBLIC HEARING.

031815 **[Modification and renewal of the Union Square Business Improvement District]**
Supervisor Peskin

Resolution establishing the modification and renewal of an assessment district known as the Union Square Business Improvement District, ordering the levy and collection of assessments against property located in that district for fiscal years 2004-2005 through 2008-2009, approving an agreement with the Union Square Business Improvement District, Inc. to provide services within the District, repealing Resolution No. 1066-98, creating the Union Square Business Improvement District Advisory Board, and making environmental findings.

(Fiscal impact.)

Crispin Tirso, Department of the Elections, reported to the Board the results of the Union Square Business Improvement District Election.

Supervisor Peskin, seconded by Supervisor Ammiano, moved an amendment of the whole.
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

Resolution No. 798-03
ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

Mike Farrah , Legislative Aide to Supervisor Newsom informed the Board that Supervisor Newsom was unable to attend today's meeting due to transition matters. Supervisor Newsom will be in attendance at the January 6, 2004 meeting

Supervisor Newsom Excused from Attendance

Supervisor Maxwell, seconded by Supervisor Dufty, moved to excuse Supervisor Newsom from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

SPECIAL ORDER 4:30 P.M.

031840 **[Appeal, Final Mitigated Negative Declaration - 701 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 15, 2003, approving a final mitigated negative declaration for the proposed condominium project located at 701 Lombard Street, on Assessor's Block 074, Lot 001. (Appellant: Susan Brandt-Hawley, attorney, on behalf of Telegraph Hill Dwellers.)

(Appeal filed November 6, 2003 by Susan Brandt-Hawley, attorney, on behalf of the Telegraph Hill Dwellers; companion measure to Files 031841, 031842, 031860, 031861, 031862, 031863.)

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Newsom was noted absent.

Supervisor Newsom was excused from attending meeting. (See Infra)

Quorum present.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031841 **[Finding appeal of the negative declaration for 701 Lombard Street untimely]**

Motion finding the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street not timely filed. (Clerk of the Board)

Speakers on the question of the timeliness of the filing of the appeal.
Susan Brandt-Hawley, Attorney for appellant
Jim Reuben, Attorney for project sponsor

The Board reviewed with the Deputy City Attorney and Planning Department representatives the appeal process.

Joe O'Donoghue, Residential Builders, support of project sponsor
Mr. Demoulliear, support of project sponsor, Patricia Franklin, Brian O'Flynn, project sponsor, Sal Busalacchi, opposed to appeal, Paul Scott, President of Telegrah Hill Dwellers, support of appeal, Starchild, Libertarian, opposed to appeal, Kerry Mallen, support of project sponsor, Male speaker, support of appeal, Chuck Clemens, support of project sponsor, female speaker, support of project sponsor, Joan Wood, support of appeal, Keith Wilson, support of project sponsor, female speaker, support of project sponsor, Rick Hills, Mr. Turner support of project sponsor

The President declared the Public Hearing Closed.

Rebuttal Period:
Susan Brandt-Hawley, Attorney for the appellant

TABLED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Gonzalez, Hall, Ma
Excused: 1 - Newsom

031842 **[Finding the negative declaration appeal for 701 Lombard Street timely]**

Motion finding the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street timely filed. (Clerk of the Board)

Motion No. M03-207

APPROVED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Gonzalez, Hall, Ma
Excused: 1 - Newsom

(Only one of the following two motions should be adopted.)

031861 **[Affirm adoption of the negative declaration for 701 Lombard Street]**

Motion affirming Planning Department adoption of the final negative declaration for 701 Lombard Street. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Maxwell
Excused: 1 - Newsom

031862 **[Reversing adoption of the negative declaration for 701 Lombard Street]**

Motion reversing the Planning Department adoption of the final negative declaration for 701 Lombard Street. (Clerk of the Board)

Motion No. M03-209

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Maxwell
Excused: 1 - Newsom

031863 **[Preparation of findings to reverse adoption of the negative declaration for 701 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department adoption of the negative declaration for 701 Lombard Street. (Clerk of the Board)

Motion No. M03-210

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Maxwell
Excused: 1 - Newsom

031860 **[Preparation of findings related to the timeliness of the negative declaration appeal for 701 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings related to the timeliness of the negative declaration appeal for 701 Lombard Street. (Clerk of the Board)

Motion No. M03-208

APPROVED by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Maxwell
Excused: 1 - Newsom

SPECIAL ORDER 4:30 P.M.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Real Estate Department)

Continued to January 13, 2004

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Hall, Ma, Maxwell
Absent: 1 - Newsom

SPECIAL ORDER 6:00 P.M.

031905 **[Public Hearing - Appeal of Categorical Exemption - 937-939 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 30, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed condominium project located at 937-939 Jackson Street, on Assessor's Block 191, Lot 28. (Appellants: Rick Riley, Kevin Cheng, Deborah Goiten Goodyear, Irine Lew, Kwong Young Fong, Yick Q. Fong, Florence F. Wong, Lee Q. Fong, Grace S. Fong.)

(Appeal filed November 17, 2003; companion measure to Files 031906, 031907, 031908.)

Kevin Cheng, Appellant
Support of appellant:
Rick Riley, Elaine Jackson, Male Speaker, Kim Trong, Stella Chung, Edwin Wong, Roger Miller, Grace Wong, Female Speaker, Jesse Lai, Irene Lew

Paul Maltzer, Environmental Officer, and Tammy Chan, Planning Department Representatives reviewed with the Board the Planning Commission's recommendation.

Jim Reuben, Attorney for Project Sponsor
Support of Project Sponsor
Project sponsor, Brian O'Flynn

The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031906 **[Affirming the categorical exemption issued for 937-939 Jackson Street]**

Motion affirming the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Newsom

031907 **[Disapproving the categorical exemption issued for 937-939 Jackson Street]**

Motion disapproving the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion. (Clerk of the Board)

Motion No. M03-211

APPROVED by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Hall, Ma
Excused: 1 - Newsom

031908 **[Preparation of findings to disapprove categorical exemption issued for 937-939 Jackson Street]**
Motion directing the Clerk of the Board to prepare findings disapproving the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion. (Clerk of the Board)

Motion No. M03-212
APPROVED by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Newsom

COMMITTEE REPORTS

031901 **[Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2003-04]**
Supervisors Dufty, Gonzalez

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2003-04 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2003-04. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 803-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031929 **[San Francisco Law Library Justice Center]**
Mayor, Supervisor Gonzalez

Resolution in support of the San Francisco Law Library Justice Center at 525 Golden Gate Avenue.

Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to January 13, 2004
Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 3 - Hall, Ma, Sandoval
Excused: 1 - Newsom

031881 **[2004-2007 Children's Service Allocation Plan]**
Supervisors Daly, Maxwell

Resolution approving the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

Resolution No. 801-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031873 **[Memorandum of Understanding - Police]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Police) to be effective July 1, 2003 through June 30, 2005.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031874 **[Memorandum of Understanding - Fire]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Fire) to be effective July 1, 2003 through June 30, 2005.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031965 **[MOU - H-1 Fire Rescue Paramedics]**
Mayor

Ordinance adopting and implementing the 2003-2005 Memorandum of Understanding between the H-1 Fire Rescue Paramedics, Service Employees International Union, Local 790 and the City and County of San Francisco, to be effective July 1, 2003 through June 30, 2005.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

031897 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend $1,475,374 of New Start Federal Capital Assistance for the Third Street - Phase II, Central Subway project, excluding administrative overhead costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 802-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues
Robert Pender, Park Merced issues
Male Speaker, Tenderloin issues
Joe O'Donoghue, Residential Builders, affordable housing issues
Rusty Holden, support Item 58
Bill Boreman, support Item 58
Resident of Cow Hollow, support Item 58
Resident of Cow Hollow, support Item 58
Jackie Brison, SF Inner Faith Council, shelter for men only
Male Speaker, general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031978 **[Japantown Task Force, Inc.]**
Supervisors Gonzalez, Peskin

Resolution authorizing the San Francisco Redevelopment Agency to directly apply for and receive SB 307 funds to allocate to the Japantown Task Force, Inc., a community organization, to define cultural preservation and to prepare the specific plan and be the community planning entity for San Francisco's Japantown, as defined in SB 307.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 810-03
ADOPTED

031982 **[Public Hearing Approval]**
Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $13,500,000 for On Lok Health Services and On Lok Community Housing, Inc.

Resolution No. 811-03
ADOPTED

032000 **[Multi-Year Electricity Procurement]**
Supervisors Ammiano, Gonzalez, Peskin, Daly

Resolution urging the California Public Utilities Commissioners not to authorize a multi-year Electricity Procurement for San Francisco Ratepayers.

Supervisors Peskin, Gonzalez and Daly requested to be added as co-sponsors.

Resolution No. 812-03
ADOPTED

032001 **[Yellow Zone Conversion]**
Supervisor Ammiano

Resolution urging the Department of Parking and Traffic to convert parking spaces located at 3286 and 3290 Mission Street from metered yellow zones to standard metered parking.

Resolution No. 813-03
ADOPTED

032002 **[Pedestrian Safety and Speeding on State Highways]**
Supervisors Hall, Peskin

Resolution urging the State Legislature to pass legislation increasing fines for speeding, running red lights, and other moving violations on state highways bisecting neighborhoods and other major thoroughfares designated by the local jurisdiction, and urging the State Legislature to set aside the revenue from these fines for pedestrian safety improvements.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 814-03
ADOPTED

032003 **[Chinese Exclusion Act]**
Supervisors Ma, Peskin, McGoldrick

Resolution commemorating the 60th anniversary of the repeal of the Chinese Exclusion Act.

Supervisors Peskin and McGoldrick requested to be added as co-sponsors.

Resolution No. 815-03
ADOPTED

032005 **[Commending Seva Foundation]**
Supervisors McGoldrick, Peskin

Resolution commending the contribution of the Seva Foundation and proclaiming December 13, 2003 Seva Foundation 25th Silver Anniversary Day in San Francisco.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 816-03
ADOPTED

032016 **[Power Lines in Marina District]**
Supervisors Newsom, Peskin

Resolution urging Lucasfilm Ltd. and Pacific Gas & Electric Co., Inc. to work with the community on alternatives to its Bay-Fillmore-Filbert-Lyon route for supplying power to the Letterman Digital Arts Center in the Presidio, and to ensure that the route reduces impacts on San Francisco neighborhoods to the greatest extent possible.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 817-03
ADOPTED

032017 **[Hearts in San Francisco]**
Supervisor Peskin

Resolution urging support for "Hearts in San Francisco", a temporary public art installation.

Resolution No. 818-03
ADOPTED

032020 **[Excelsior Street Safe Program]**
Supervisor Sandoval

Resolution urging the Department of Parking and Traffic and the San Francisco Police Department and all other relevant city agencies to review the "Community Action Plan for Safer Streets in the Excelsior" and work with the Excelsior Street Safe project and community residents to implement the Plan's recommendations.

Resolution No. 819-03
ADOPTED

031909 **[Final Map for a 80 Unit Residential / Commercial Condominium Project (821 Folsom Street)]**
Motion approving Final Map of Shipley Square, A Residential / Commercial Condominium Project, being a subdivision of Lot 393 in Assessor's Block No. 3752, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,546; Distsrict 6.)

Motion No. M03-213
APPROVED

031954 **[Final Map for a 16 Unit Live/Work Condominium Project]**
Motion approving Final Map of 68 Harriet Street, A Live/Work Condominium Project, being a subdivision of Lot 184 in Assessor's Block No. 3731, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Motion No. M03-214
APPROVED

031955 **[Final Map for a 16 Unit Live/Work Condominium Project]**
Motion approving Final Map of 175 Russ Street, A Live/Work Condominium Project, being a subdivision of Lot 185 in Assessor's Block No. 3731, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Motion No. M03-215
APPROVED

031956 **[Final Map for a 21 Unit Mixed-Use Condominium Project]**

Motion approving Final Map of 350 Alabama Street, a Mixed-Use Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 3967, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Motion No. M03-216
APPROVED

031963 **[Final Map for an 8 Unit Residential Condominium Project]**

Motion approving Final Map of Killarney Court # 1 – 8, 843 South Van Ness Avenue, A Residential Condominium Project, being a subdivision of Lot 22 in Assessor's Block No. 3594, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Motion No. M03-217
APPROVED

031976 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-218
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Newsom

Severed from Without Committee Reference Agenda

Supervisor Hall requested that this matter be severed so that it could be considered separately.

032004 **[Support HR 3171 and SB 1552]**
Supervisors McGoldrick, Gonzalez, Daly

Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.

REFERRED to the Rules Committee.

Supervisor Daly requested that this item be severed so that it could be considered separately.

032018 **[Charlotte Mailliard Shultz Staircase Renaming]**
Supervisors Peskin, Dufty, Hall

Resolution renaming the Grand Staircase of San Francisco City Hall's rotunda as the Charlotte Mailliard Shultz Staircase.

Supervisor Hall requested to be added as a co-sponsor.

REFERRED to the Rules Committee.

Supervisor Hall requested that this matter be severed so that it could be considered separately.

032019 **[Urging the San Francisco Delegation to the California Assembly and Senate to Oppose Proposed Budget Cuts]**
Supervisor Sandoval

Resolution urging the San Francisco delegation to the California Assembly and Senate to oppose Governor Arnold Schwarzenegger's proposed budget cuts to critical health and human services.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030423 **[Establishing the powers and duties of the Small Business Commission]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2003.

3/25/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance, correcting an error in the short title.

3/25/03, ASSIGNED to Rules Committee.

3/28/03, REFERRED TO DEPARTMENT. Referred to Small Business Commission.

12/16/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

12/16/03, ASSIGNED to Rules Committee.

032024 **[Designation of Acting Mayors]**
Supervisor Daly

Draft Ordinance amending the San Francisco Administrative Code, by adding Section 2A.11, to require the Mayor to inform the Board of Supervisors in writing when leaving the state for more than 24 hours, to require the Mayor to designate Acting Mayors in writing and inform the Clerk of the Board of such designations, to require Acting Mayors to report on any official actions taken, and to require the members of the Board to receive training on emergency operations.

12/6/03, RECEIVED AND ASSIGNED to Rules Committee.

032025 **[Clean Village Ordinance]**
Supervisor Daly

Draft ordinance adding Administrative Code Chapter 92 to declare San Francisco a "Clean Village," require that City-owned or leased buildings and human services organizations funded with public funds make restroom facilities available to members of the public, and establish a pilot public hygiene program; adding Health Code Sections 286.1 to 286.3 to prohibit public urination and defecation; amending Health Code Section 580 to clarify the definition of Responsible Party; amending Health Code Section 581 to define used hypodermic syringes as a nuisance; amending Public Works Code Section 174 to assign responsibility for the removal of hypodermic syringes and human excrement to the Department of Public Works; adding Park Code Section 3.19 to establish operating hours for restroom facilities operated by the Recreation and Park Department; amending Health Code Section 596 to establish penalties and outline enforcement; making findings; and setting effective dates.
12/16/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032029 **[Extended Hours Permits]**
Supervisor Dufty

Draft ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.
12/16/03, RECEIVED AND ASSIGNED to City Services Committee.

032030 **[Zoning - Allow Tourist Hotels of 75 Rooms or Less in the SSO District]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Section 818 and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a principal permitted use in the SSO (Service/Secondary Office District); adopting findings.
12/16/03, RECEIVED AND ASSIGNED to Land Use Committee.

032031 **[Limited Equity Conversions]**
Supervisor Daly

Ordinance approving a method for Community Land Trusts to convert existing residential buildings to limited-equity condominiums.
12/16/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/15/2004.

Resolutions

032009 **[Implementation of AB 117]**
Supervisor Gonzalez

Resolution supporting AB 117 which concerns community aggregation of power by local agencies.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032027 **[Adopting the recommendations of the City Non-Profit Contracting Task Force]**
Supervisors Maxwell, Dufty, Ma, Daly, Gonzalez

Resolution adopting the recommendations of the City Non-Profit Contracting Task Force.
12/16/03, RECEIVED AND ASSIGNED to Rules Committee.

032028 **[Lease of Real Property - 10 United Nations Plaza]**
Supervisors Maxwell, McGoldrick

Resolution authorizing a lease of approximately 8,105 square feet of space at 10 United Nations Plaza for the Department of Child Support Services for a term of six years.

(Public Benefit Recipient.)
12/16/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032034 **[Gift in Place to Recreation and Park Department, $288,355]**
Supervisors Hall, Maxwell, Ma

Resolution accepting and expending a gift in place valued at $288,355 from the friends of Recreation and Parks to the Recreation and Park Department for Lake Merced.

(No Public Benefit Recipient.)
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032035 **[Biosciences Task Force]**
Supervisor Maxwell

Resolution adding one additional member to the existing San Francisco Biosciences Task Force formed by Board Resolution No. 217-03.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032036 **[Acknowledgement of Congresswoman Pelosi's Support of Central Subway]**
Supervisors Peskin, Dufty, Maxwell, Ma, Daly, Ammiano

Resolution acknowledging and commending House Democratic Leader Nancy Pelosi for her role in securing federal funding essential to the Central Subway, Phase II of the Third Street Light Rail project, and other transportation infrastructure projects that will benefit San Francisco and the region.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032037 **[Commending John Arntz and the Department of Elections]**
Supervisors Peskin, Ma, Dufty, Hall

Resolution commending John Arntz and the Department of Elections for their exemplary professionalism in conducting three elections in three months.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032038 **[Accept and Expend Gift - Levi Strauss Foundation]**
Supervisor Hall

Resolution retroactively accepting and expending a gift in the amount of $12,500 from the Levi Strauss Foundation.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032039 **[Accept-Expend Grant - Public Defender, $15,000]**
Supervisor Sandoval

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $15,000 from the VanLobenSels/RembeRock Foundation for a social worker position dedicated to working with female juvenile offenders.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032040 **[Accept-Expend Grant - Public Defender, $40,000]**
Supervisor Sandoval

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $40,000 from the San Francisco Foundation for a social worker position dedicated to working with female juvenile offenders.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032041 **[Importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of San Francisco]**
Supervisor Sandoval

Resolution urging the City's Health Service System to explore the feasibility and cost effectiveness of the importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of the City and County of San Francisco.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032042 **[Extending the meetings of the Homeless Senior Task Force]**
Supervisor Daly

Resolution amending Resolution No. 682-02 to extend the meetings of the Homeless Senior Task Force for an additional six months.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

032022 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

032032 **[Requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program]**
Supervisor Maxwell

Motion requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program.
12/16/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearing

032023 **[Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget]**
Supervisor Daly

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget prior to submittal to the Mayor.
12/16/03, RECEIVED AND ASSIGNED to Budget Committee.

032033 **[2002 San Francisco Hospital Charity Care Report]**
Supervisor Maxwell

Hearing on the 2002 San Francisco Hospital Charity Care Report Summary and to report on the amount of charity care provided since the passage of the Ordinance in July of 2001.
12/16/03, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED ORDINANCES

032026 **[Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]**
Ordinance amending Section 8.37 of the San Francisco Administrative Code to increase current fees, add new fees, and repeal other fees charged by the Clerk of the Board of Supervisors, including an increase in conditional use appeal filing fees; imposing new fees for environmental and tentative map appeals to the Board of Supervisors; increasing temporary street closure denial appeal fees; imposing new fees for encroachment permit appeals to the Board of Supervisors; imposing new fees for Landmark appeals to the Board of Supervisors; and adding fees for copies of audio tape recordings of Board and Committee meetings, and for requesting that staff of the Clerk's Office conduct research of Board Supervisors records; providing for an annual adjustment by the Controller based on the CPI. (Clerk of the Board)
12/16/03, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED RESOLUTIONS

031910 **[Contracting out Janitorial Services]**

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

(Public Benefit Recipient.)

12/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031950 **[Accept-Expend State Grant]**

Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety (OTS) for a project entitled "You Drink & Drive, You Lose" national campaign. (Police Department)

(No Public Benefit Recipient.)

12/2/03, RECEIVED AND ASSIGNED to City Services Committee.

031951 **[Accept-Expend Federal Grant]**

Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives for a project entitled Gang Resistance Education And Training (G.R.E.A.T.) (Police Department)

(No Public Benefit Recipient.)

12/2/03, RECEIVED AND ASSIGNED to City Services Committee.

032006 **[Settlement of Charges]**

Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims. (City Attorney)

12/9/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance based on Los Angeles' ordinance requiring the posting of health inspection results in the windows of local restaurants.

From: Supervisors Dufty, Hall, Sandoval, Ma, Maxwell
To: Airport Commission
Requesting/Inquiring: Inquiring whether the San Francisco Airport Commission can consider and recommend to the Board of Supervisors a revised Lease Disposition and Development Agreement for Plot 9 that reflects concerns expressed by the Board of Supervisors during consideration of File 031716 on December 16, 2003. Such amendments should include, but not be limited to, revisions of this lease agreement so the City and County of San Francisco does not receive a reduction in lease revenue in the first five years of this agreement. Further, can the Airport Commissioners outline the reasons that Airis SFO was selected for the project and respond to any of the concerns expressed in the Board of Supervisors' December 16, 2003 deliberations. Additionally, request that a copy of this letter be transmitted to Mayor-elect Gavin Newsom.

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring:
· To explore the legal feasibility of establishing an independent authority to bulk purchase prescription drugs from approved pharmacies, either inside or outside the United States, for the purpose of providing the cheapest possible alternatives for San Franciscans, and;
· Explore the implications of the recently enacted Medicare Reform legislation, adopted by United States Congress and signed by the President, as they relate to the reimportation of pharmaceuticals from foreign nations, and
· Utilize the aforementioned authority to provide the most costly pharmaceuticals to approved retail outlets in the City and County of San Francisco.

From: Supervisor Peskin
To: Director, Department of Real Estate
Requesting/Inquiring: Requesting the following information regarding a new 3G cell site that Cingular Wireless has erected atop Fire Station 13:
· When was the cell tower erected at this site?
· What is the normal public and legislative process required before allowing a cell tower to be installed on city owned real estate?
· Is the lease for the cell site subject to approval of the Board of Supervisors?
· If so, when can the Board of Supervisors expect to receive the proposed lease between CCSF and Cingular for this 3G tower?

From: Supervisor Peskin
To: Fire Chief, Fire Department
Requesting/Inquiring: Requesting the following information regarding a new 3G cell site that Cingular Wireless has erected atop Fire Station 13:
· What are the terms of the proposed lease with Cingular Wireless?
· Has the Department received communications from firefighters stationed at Station 13?
· What is the Department's response to the concerns raised by firefighters living at Station 13?

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To conduct traffic studies at the intersection of Hunters Point Blvd. And Hawk Street

and at the intersection of Hunters Point Blvd. And Innes Ave. and return with recommendations.

From: Supervisor Hall
To: Every City Department
Requesting/Inquiring: What plans or projects does your Department have that will add 5,000 new jobs to the City's workforce within the next five years at no new cost to the taxpayers of San Francisco?

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Please explain why Waller Street between Stanyan and Kezar has been closed to through traffic.
Please send a copy to the following constituent:
Mr. Dirk Schenkkam
32 Mesa Avenue
San Francisco, CA 94116

In Memoriams

Bob Ross (Entire Board)
Richard Shemano (Supervisor Hall)
Bill O'Donnell (Supervisor McGoldrick)
Thelma Faltus (Supervisor Dufty)

ADJOURNMENT

There being no further business, the Board at the hour of 12:53 a.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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